

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12533 of 2019

Arising Out of PS. Case No.-59 Year-2018 Thana- MASHRAK District- Saran

Vikash Kumar, aged about 27 years (Male), S/o Baltu Prasad @ Ashok Prasad, Resident of village-Maghi P.S. Lakari Naviganj Basantpur, District – Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Basant Kumar Singh
For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 03.10.2018 in a case registered for the offences punishable under Sections 413, 414, 467, 468 and 471 of the Indian Penal Code.

The prosecution case as per the written report of Ajay Kumar Paswan, Station House Officer of Mashrak Police Station submitted to the Additional Chief Judicial Magistrate-VI, Saran at Chapra is to the effect that on 08.03.2018 at 8.15 P.M. he received a secret information that co-accused Anirudh Singh @ Arun Singh of Masrak P.S. Case No. 369 of 2017 is going to take money for transporting illicit liquor, whereupon raid was laid and one person was intercepted travelling on a motorcycle, who disclosed his name as Suresh Singh and on



demand, he did not produce any paper with regard to motorcycle. On search being made, several articles were seized from his possession. Subsequently, a seizure list was prepared and he also disclosed that he purchased the stolen motorcycle from the petitioner.

It is submitted by learned counsel for the petitioner that there is no recovery from the petitioner and the name of the petitioner sprang up on confession of the co-accused Anirudh Singh. It is further submitted that though the petitioner is accused in five others cases but all the cases have been lodged against unknown and the petitioner has maliciously been roped in those cases.

Learned APP submits that the name of the petitioner sprang up on confession of the co-accused.

Considering the fact that the recovery has not been made from the possession of the petitioner and investigation has already been concluded, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIth, Saran at Chapra in connection with Mashrak P.S. Case No. 59 of 2018.



Since the petitioner is having serious criminal antecedent, the learned Court below will be at liberty to cancel the bail bonds of the petitioner in two eventualities; if the petitioner defaults for two consecutive occasions or gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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