

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19147 of 2019

Arising Out of PS. Case No.-960 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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VIKASH KUMAR RAO S/o Makindra Rao @ Makendra Rao Resident of
Village- Shyampur, P.S.- Nautan, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Khurshid Anwar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
10.11.2018 in connection with Bettiah Nagar P.S. Case No. 960
of 2018 for offences punishable under Section 379 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that his motorcycle was stolen from Shivam Nursing Home by
two unknown persons.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information
Report and has been falsely implicated in the aforesaid case on
his own confessional statement before the police, which has no



evidentiary value in the eye of law. He submits that nothing has been recovered from his conscious possession as per the allegation upon the petitioner on the basis of the CCTV footage and charge-sheet has already been submitted there being no allegation of tampering with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and one more case is pending against him.

Considering the facts and circumstances and the materials on record as well as the nature of allegations and the period of custody, let petitioner, above named, be enlarged 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 Chief Judicial Magistrate, West Champaran at Bettiah, in connection with Bettiah Nagar P.S. Case No. 960 of 2018, subject to the following conditions :

1. One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
2. If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to



move the learned court below for cancellation of his
bail bonds.

(Nilu Agrawal, J)

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