

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74642 of 2018

Arising Out of PS. Case No.-195 Year-2017 Thana- GOPALPUR District- Patna

Vikash Kumar @ Bittu son of Sudama Choudhary, R/o mohalla Bahari
Begampur (Sidha Bazar), P.S. Bypass, Dist. Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arvind Pandey

For the Respondent/s : Mr.Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 15-01-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Gopalpur P. S. Case No.
195/17 instituted for the offence under Section(s) 379, 411,
414, 401, 403, 413, 467, 468, 471, 419/34 of the Indian Penal
Code.

Learned counsel for petitioner submits that prayer for
bail of the petitioner was earlier rejected by co-ordinate Bench
of this Court by order dated 11.4.2018 passed in Cr. Misc. no.
1037 of 2018.

A supplementary affidavit has been filed on behalf of
the petitioner which is taken on record.



Learned counsel for petitioner submits that vide Annexure- 4-A to the supplementary affidavit co-accused, namely, Utpal Kant @ Polu @ Uttapl Kant @ Polu @ Golu, who was alleged to be driving the motorcycle, has been granted bail by co- coordinate Bench of this Court by order dated 7.12.18 passed in Cr. Misc. no. 71797 of 2018.

A report was called for from the court below which has been received. From perusal of the report, it appears that charge in the instant case has not been framed till date.

In the written report, it is alleged that police during course of vehicle checking intercepted two motorcycles. It is further alleged that police found one Utpal Kant @ Polu was driving the motorcycle and this petitioner was found sitting on the aforesaid motorcycle as pillion rider.

Petitioner is in custody since 18.10.2017.

Considering the aforesaid, let the petitioner, above named, 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 the ADJ IV, Patna, in connection with Gopalpur P. S. Case No. 195/17 subject to the condition that both the bailors shall be the close relative of the petitioner with further condition :



(i) The petitioner will remain present on every date of trial

(ii) Absence of petitioner on two consecutive dates without valid reason will amount to cancellation of his bail bond.

(iii) Petitioner will not tamper with evidence during the trial.

(Sanjay Priya, J)

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