

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58999 of 2019

In
CRIMINAL MISCELLANEOUS No.52827 of 2019

Arising Out of PS. Case No.-72 Year-2019 Thana- RAXAUL District- East Champaran

VIKASH KUMAR DAS, Son of Brij Mohan Das, Resident of Village - Bara
Gopalpur, P.S. - Gopalpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 25-09-2019 Heard.

Petitioner was allowed bail on 27.08.2019 in Cr. Misc.
No. 52827 of 2019 in connection with Raxaul P.S. Case No. 72
of 2019. Petitioner is resident of village Gopalpur, Police
Station Gopalpur in the district of West Champaran.

Since in the format of FIR, address of the petitioner is
mentioned as Bara Gopalpur, the learned court below is not
accepting bail bond of the petitioner for that technicality
whereas submission of the learned counsel for the petitioner is
that there is no other village known as Bara Gopalpur nor the
petitioner has mentioned in the bail petition that his village is
Bara Gopalpur.

The learned court below is directed to immediately
accept the bail bond of the petitioner and shall submit an



explanation for non-acceptance of the bail bond even provisionally. If the learned court below had any confusion in acceptance of the bail bond on the very next day, it could have been verified whether there is any other village known as Bara Gopalpur, the learned court below has attempted to neutralize the order of this Court whereby the petitioner was directed to be released.

The explanation must come to this Court within a period of four weeks from the date of receipt/production of a copy of this order.

Let this order be communicated to the learned court below in connection with Raxaul Police Station Case No. 72 of 2019 corresponding to N.D.P.S. Case No. 29 of 2019.

Accordingly, this application is allowed.

(Birendra Kumar, J)

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