

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23175 of 2020

Arising Out of PS. Case No.-90 Year-2019 Thana- RAMGARHWA District- East Champaran

Vikash Kumar Son of Uma Sah @ Umashankar Sah Resident of Village -
Suful Pakad, Belwatiya, P.S.- Sugauli, District - East Champaran . Petitioner
Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Randhir Kumar No.1, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-09-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor representing the State.

The petitioner seeks bail in a case registered for the
offence punishable under section 392 of the Indian Penal Code.

Prosecution's case, in brief, is that at 11 PM when the
informant and his Mauseera brother reached near north bridge of
Bhaisara village, three to four miscreants stop their motorcycle,
and snatched the mobile phone, cash of Rs.420/- from the
pocket of the informant. They also assaulted them and took
away the motorcycle.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on the basis of
confessional statement of co-accused Hari Om Kumar. Save and
except, there is no other material to connect him with the
occurrence. Nothing incriminating has been recovered from the
possession of the petitioner. Petitioner has not been put on test
identification parade (TIP) till date. Petitioner is in custody
since 21.5.2019. Similarly situated co-accused have already
been allowed bail by different benches of this Court mentioned
in paragraph 8 of the bail petition.



In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above 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 Sub Divisional Judicial Magistrate, Raxaul, East Champaran, Motihari in Ramgarhwa Police Station Case No. 90 of 2019/Tr No.1844/2019), on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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