

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22812 of 2020

Arising Out of PS. Case No.-64 Year-2020 Thana- JAHANABAD District- Jehanabad

VIKASH KUMAR @ BHOMA Son of Girija Prasad Resident of Village -
Sulemanpur, P.S.- Kako, District - Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Advocate

For the Opposite Party/s : Mr.A.G

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence).

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-09-2020

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Section 395 of the Indian Penal Code.

Informant who is the driver of the truck has alleged in
his fardbeyan that on 27.01.2020 at about 1:45 (night) after
unloading the goods in Patna he proceeded towards Jehanabad
along with co-driver Roshan Kumar when a blue colour without
registration number Maruti Van overtook his truck and two
miscreants pulled down both of them from the truck and made
sit in the Maruti Van in which four other miscreants were
seating and left them in midway and somehow he informed his
owner who thereafter informed the Police and search for looted
truck started and two miscreants were arrested fleeing with the



truck who disclosed their name as Vikash Kumar son of Bijay Prasad and Akhilesh Kumar son of Sahanand Yadav.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. Petitioner is not named in the FIR. It has been submitted that name of the petitioner has surfaced in this case on the confessional statement made by the co-accused Akhilesh Kumar and except the said confessional statement, there is no any other incriminating material against the petitioner. Similarly placed co-accused Tripurari Kumar has already been granted bail by a co-ordinate Bench of this Court as contained in Annexure-2. Petitioner has no criminal antecedent and he is in custody since 30.01.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Jehanabad (Karauna O.P.) P.S. Case No. 64 of 2020, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

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

(S. Kumar, J)

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