

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86383 of 2019

Arising Out of PS. Case No.-168 Year-2019 Thana- MINAPUR District- Muzaffarpur

Vikash Kumar Son of Vinay Bhushan Resident of Village - Karnpur
Bochacha, P.S.- Bochaha, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 05-06-2020 The matter has been taken up through virtual court proceeding.

Heard learned counsels for the petitioner and the State.

The petitioner, who is languishing in custody since 16.06.2019, has preferred the present application for grant of bail in a case registered for the offence punishable under Section 392 of the IPC.

The prosecution case, as per the written report of Vinay Kumar, submitted to the S.H.O., Meenapur Police Station is to the effect that on 10.04.2019, the petitioner, being the Branch Manager in North Bihar Gramin Bank, Aurayi Branch was coming on motorcycle when three motorcycle borne criminals robbed off the bank document, two mobile phones,



Rs. 16,000/- and the motorcycle, leading to registration of FIR against unknown persons. The name of the petitioner sprang up during investigation on the confession of co-accused person. Subsequently, the petitioner also made confession.

It is submitted by learned counsel for the petitioner that there is no recovery from the petitioner. Investigation has already been concluded but petitioner has not been put on T.I. Parade, though, statement to that effect has not been made in the petition, however, the case diary does not suggest that the petitioner has ever been put on T.I. Parade. A statement has been made in paragraph no.3 of the petition that though the petitioner is accused in five other cases, but out of five cases, he is on bail in three cases.

Learned APP submits that the name of the petitioner sprang up on the confession of co-accused person.

Considering the nature of accusation, period under custody and the investigation already being concluded, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned CJM, Muzaffarpur in connection with Minapur P.S. Case No. 168 of 2019.

However, in view of the present pandemic COVID-



19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned CJM, Muzaffarpur in connection with Minapur P.S. Case No. 168 of 2019.

The learned Court below will be at liberty to extend the further period of provisional bail if the lockdown is not over in next three months.

The learned Court below will be at liberty to cancel the bail bonds of the petitioner if he defaults for three consecutive occasions during trial or substantially gets involved in similar nature of offence.

(Dinesh Kumar Singh, J)

Amrendra/-

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