

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85880 of 2019**

Arising Out of PS. Case No.-217 Year-2019 Thana- SARAIYA District- Muzaffarpur

Vicky Kumar S/o Raj Kumar Sah R/o Village- Bakhra, P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mrs.Gulnar Begum

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

4 22-06-2020 The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is languishing in custody since 07.08.2019 in a case registered for the offence punishable under Section 395 of the Indian Penal Code, hence, the prayer for bail has been made through the present application.

The prosecution case, as per the written report of Ravi Ranjan submitted to the Station House Officer, Saraiya Police Station, is to the effect that the informant was carrying good amount of cash by motorcycle but on the way, six motorcycle borne accused persons surrounded him and robbed off the cash amount and other articles, leading to registration of



the case against unknown. The name of the petitioner sprang up on his arrest in connection with Saraiya P.S. Case No. 360 of 2019 where he confessed that he also participated in the commission of the offence of the present case.

It is submitted by learned counsel for the petitioner that on the basis of the confession before police, the petitioner has been roped in the present case. There is no recovery from the petitioner and he has not been put on T.I. Parade and he is in custody since 07.08.2019. The investigation has already been concluded. The petitioner is accused in three other cases.

Learned APP for the State submits that the petitioner has confessed his guilt.

Considering the fact that the FIR was lodged against unknown, petitioner has not been put on T.I. Parade and investigation 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 A.C.J.M. 1st, (West) Muzaffarpur in connection with Saraiya P.S. Case No. 217 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 upon 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 the learned A.C.J.M. 1st, (West) Muzaffarpur in connection with Saraiya P.S. Case No. 217 of 2019.

The learned Court below is at liberty to further extend the period of provisional bail if the court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

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