

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34988 of 2021**

Arising Out of PS. Case No.-322 Year-2019 Thana- GAIGHAT District- Muzaffarpur

VIKASH KUMAR Son of Niteshwar Rai R/o Village- Sura, P.S.- Gaighat,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP

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

- 2 09-09-2021 Heard learned counsel for the petitioner and the State.
- Petitioner seeks regular bail in a case registered for the offence punishable under Section 395, 397 of the Indian Penal Code.
- As per the prosecution case, some miscreants boarded on Bolero vehicle overtook the motor cycle of informant and forcibly stopped him. Three persons came out of the Bolero vehicle and fired on his leg and on the point of gun snatched away cash of Rs. 5000/-, mobile, Adhar card etc.
- Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. The name of petitioner has come in this case during the course of investigation in the confessional statement of co-accused, Raja Kumar @ Raja Babu, who has already been granted bail by a co-ordinate Bench of this court vide order dated 05.06.2020 passed in Cr. Misc. No. 5800/2020. No incriminating article has been recovered from the possession of the petitioner and till date the petitioner has not been put on Test Identification Parade. Petitioner claims



clean antecedent and is in custody since 01.10.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-15, Muzaffarpur in connection with Gaighat PS case No. 322/2019 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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