

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32288 of 2021

Arising Out of PS. Case No.-835 Year-2020 Thana- SUPAUL District- Supaul

VIKASH KUMAR THAKUR @ VIKASH KR. THAKUR S/O BINAY
KUMAR THAKUR R/o village- Malhani (Ward No. 2), P.S.- Supaul,
District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-12-2021 Today being Friday, matters are being taken up
through virtual mode as per current procedure for hearing.

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

This Court would expect that the petitioner's
counsel would honour his undertaking in the instant proceedings
regarding supply of requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Supaul P.S.
Case No. 835 of 2020 registered under Sections 399 and 402 of
the Indian Penal Code and Section 25(1-B)a, 26 and 35 of the
Arms Act.

Twelve named persons, including the petitioner



have been rounded up by the Police who have reached the place on some secret information. There is alleged recovery of one country-made pistol and two live cartridges from the petitioner.

Petitioner's counsel submits that the petitioner has falsely been implicated in this case and the falsity of allegations is evident from the fact that as per written report the police have arrested the petitioner on 13.12.2020, however the date of lodging of the F.I.R. is strangely one day prior to the alleged occurrence. On account of some recovery of liquor, on the same search, another case, namely, Supaul P.S. Case No. 836/2020 has been lodged in which also the petitioner has been made an accused. The ATM cards recovered from the petitioner were in his bonafide position as they are in his name. He is in custody since 14.12.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned



Chief Judicial Magistrate, Supaul in Supaul P.S. Case No. 835
of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of
the petitioner who will give an affidavit giving genealogy as to
how he is related with the petitioner. The bailor will also
undertake to inform the Court if there is any change in the
address of the petitioner.

(ii) That the petitioner will be well represented on
each date and if he fails to do so on two consecutive dates, his
bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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