

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42949 of 2021

Arising Out of PS. Case No.-69 Year-2021 Thana- PATLIPUTRA District- Patna

VIVEK KUMAR @ VIPIN Son of Nagendra Singh Resident of Brahampur
Bazar, Near Vinayak Nagar, Near Boaring, P.S.- Beur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh
For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Patliputra P.S.Case No. 69/2021, registered for the offence punishable under Section 461, 379 and 511 of the Indian Penal Code.

The allegation is regarding the petitioner having been caught from near an ATM machine of Bank of India and it was found that the first layer of the ATM machine had been cut, however, since the police had reached at the place of occurrence, money could not be taken out.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 7.2.2021. The learned counsel for the petitioner has further submitted that as far as the three criminal antecedents of the petitioner herein are concerned, the petitioner has been falsely implicated in the said three cases after he was arrested in the present case. However, it is submitted that the petitioner undertakes to abide by such conditions as may be deemed fit and proper to be imposed by this Court, for the purposes of grant of bail to the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that no money has been stolen from the ATM



machine and the petitioner is languishing in custody since 7.2.2021, I deem it fit and proper to admit the petitioner to the privilege of regular bail, however, subject to certain conditions.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-XII cum Sub Judge-XII, Patna in connection with Patliputra P.S.Case No. 69/2021.

It is further directed that the petitioner would mark his attendance before the Officer-in-Charge of the concerned police station on each Monday of the week at 10:30 am. and in the event of two consecutive defaults, the present privilege of regular bail, being granted to the petitioner herein, shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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