

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 36566 of 2020**

Arising Out of PS. Case No.-90 Year-2020 Thana- RAJAPAKAR District- Vaishali

VIKASH KUMAR Son of Nand Kishor Mahto R/o Pachai Mubarak, P.S. -
Rajapakar, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Mritunjay Kumar, Advocate
For the Opposite Party/s : Ms Rina Sinha, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 20-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Rajapakar Police Station
(for brevity, *PS*) Case No 90 of 2020 dated 04.05.2020 instituted
for the offence punishable under Section 392 of Indian Penal
Code (for brevity, *IPC*) and, later on, added with Sections
395/412 of IPC.

Three miscreants, on a motorcycle, have allegedly
looted the informant at gunpoint.

It is submitted by the petitioner's counsel that the
petitioner has not been put on Test Identification Parade. One of
the co-accused, namely, Om Suryakant @ Collector has been
granted bail today by this Court in Cr Misc No 142 of 2021.



The petitioner has been remanded in this case from Rajapakar PS Case No 99 of 2020. Out of five cases mentioned in the antecedents of the petitioner in paragraph 3 of the petition, he is named accused only in two cases. There is no recovery of any material to suggest petitioner's involvement in the alleged occurrence.

Learned APP has opposed the prayer for bail.

Considering the rival submissions and the period of custody, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in Rajapakar PS Case No 90 of 2020 dated 04.05.2020 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.



Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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