

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6515 of 2021

Arising Out of PS. Case No.-230 Year-2020 Thana- RAMGARHWA District- East
Champaran

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VIKASH KUMAR SON OF RAJESH PATEL @ RAJESH PRASAD
RESIDENT OF VILLAGE- NAYAK TOLA, P.S HARPUR, DISTT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prateek Tandon

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-04-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner seeks bail in Ramgharwa P.S. Case No.
230/2020 registered for the offences punishable under Sections
399/402/413/414 of the Indian Penal Code and Section 25(1-b)a,
26/35 of the Arms Act and Section 8/20(b)(ii)(B) of NDPS Act.

As per the prosecution case, on a secret information
that 5-6 miscreants are planning to commit dacoity, a raid was
conducted and police arrested five accused persons including this
petitioner. It is further alleged that from the possession of this
petitioner, one loaded countrymade pistol and a live cartridge
have been recovered whereas 1 k.g. Charas has been recovered
from the possession of co-accused Ranjan Tiwari.



It is submitted on behalf of the petitioner that the petitioner has been falsely implicated in this case and he has no concern with the alleged recoveries. It is further submitted that petitioner is a student having no criminal antecedent. Chargesheet has already been submitted in this case. Petitioner is in custody since 22.08.2020.

Considering the aforesaid facts and circumstances and the period of custody, coupled with the fact that he has a clean antecedent, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Sessions Judge cum Special Judge, NDPS Act, Motihari, East Champaran, in connection with Ramgharwa P.S. Case No. 230/2020, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.
- (2) If the petitioner tempers 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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