

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8053 of 2021

Arising Out of PS. Case No.-182 Year-2020 Thana- MAHUA District- Vaishali

VIKASH KUMAR SON OF HORIL SINGH RESIDENT OF VILLAGE-
CHHATWARA, P.S.- MAHUA, DIST.- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-05-2021 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard both parties.

The petitioner seeks bail in Mahua P.S. Case No. 182
of 2020, registered for the offence punishable under Section 394
of the Indian Penal Code.

As per the prosecution case, while the informant was
returning to his house on his motorcycle, on the way, three
miscreants came on motorcycle and overtook the informant's
motorcycle and forcibly stopped him. It is further alleged that
the miscreants assaulted him and looted his motorcycle, helmet,
purse containing Aadhar card, driving license, cash of Rs.
5,000/- and mobile. Informant claimed to have identified one of



the miscreants as Gosai Mali.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Petitioner is not named in the FIR. Petitioner has been remanded in this case from Mahua P.S. Case No. 213 of 2020. In the self confessional statement, this petitioner stated before the police that he along with other accused persons committed robbery and the robbed motorcycle has been sold to one Rahul Kumar and robbed mobile was sold to one Nirmal Kumar. On the basis of statement, police raided the house of Rahul Kumar and upon interrogation, Rahul Kumar told that robbed motorcycle has been purchased from Vikash Kumar (petitioner) and others for Rs. 10,000/- and later on, Rahul Kumar sold that motorcycle to Chhotu Kumar from whose possession robbed motorcycle was recovered. Chargesheet has already been submitted. Petitioner is in custody since 23.05.2020.

Considering the facts and circumstances of the case and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 182



of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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