

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.10439 of 2021**

Arising Out of PS. Case No.-673 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

Vikki Patel, son of Sri Vinod Singh, Resident Of Village- Akhlesh Pur, P.S-
Bhabua, Dist- Kaimur At Bhabua

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 13-08-2021 Heard learned counsel for the petitioner and Ms.

Suman Kumari Singh, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Bhabua P.S. Case No. 673 of 2020 registered
for the offence under Section 382/34, 392, 411 of the Indian
Penal Code. He is in custody since 20.10.2020.

Learned counsel for the petitioner submits that in
this case the alleged occurrence is said to have taken place on
03.07.2020 but the F.I.R. has been lodged on 14.10.2020 i.e.
after more than three months. There were two persons on the
motorcycle when the occurrence took place but the delay has
been tried to be explained by the informant saying that after the
occurrence he had gone to appear in an examination, therefore
he could not inform the alleged occurrence took place.

Learned counsel submits that in fact the informant and the petitioner were in the same business and because of the dispute in the business, the present case has been lodged by concocting a story and recovery of camera has been shown from the possession of the petitioner.

Learned counsel further submits that petitioner has remained in connection with this case for almost 10 months and prior to the present case he has only one criminal antecedent in which he is on bail.

Learned A.P.P. for the State has though opposed the prayer for bail of the petitioner but considering the facts and circumstances of the case, in the nature of the materials placed before this Court and the period of custody of the petitioner, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 673 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.