

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3754 of 2022

Arising Out of PS. Case No.-202 Year-2020 Thana- DARPA District- East Champaran

Vibhash Kumar @ Bibhash Kumar, Son of Ashok Prasad @ Ashok Prasad Yadav, Resident of Village - Bishunpurwa, P.s.- Chhauradano, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mrs.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-06-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from today.

In the present case, the petitioner seeks bail in connection with Darpa P.S. Case No. 202 of 2020 registered for the alleged offence under Sections 392 of the Indian Penal Code.

The allegation against the petitioner is that he and other co-accused persons looted Rs.1,08,297/-, one tablet and Biometric device from the informant.

It has been submitted by the learned counsel for the petitioner that the petitioner was not named in the FIR. However, In Darpa P.S. Case No.13 of 2021, his confessional



statement was recorded showing his involvement in the instant case and he was made an accused in two other cases. Nothing incriminating has been recovered from the person of the petitioner, though he is stated to have confessed his guilt. Till date, no Test Identification Parade has been conducted and the petitioner is in custody since 18.06.2021.

The contention of the petitioner has been vehemently opposed by learned APP, who submitted that the petitioner is having criminal antecedents.

Having regard to the submission made hereinabove and considering the facts and circumstances as well as period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Raxaul, Motihari, East Champaran/court concerned in connection with Darpa P.S. Case No.202 of 2020, subject to the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge.
- (ii) One of the bailors will be a close relative of the petitioner, preferably one of the parents.
- (iii) The petitioner will remain present on each



and every date fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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