

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6886 of 2022

Arising Out of PS. Case No.-86 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

VIKASH KUMAR @ VIKASH KUMAR RAI @ TONU SON OF
JAGARNATH RAI R/O VILLAGE- NAINI (UTTAR TOLA), P.S.-
CHHAPRA MUFFASIL, DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 28-06-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Chapra
Muffasil P.S. Case No. 86 of 2018 registered for the offences
punishable under Section 394 of the Indian Penal Code.

As per prosecution case, the informant Pradeep
Thakur has submitted his written application in which he stated
that on 24.02.2018, he was going to Chapra on his bike in the
way, three miscreants assaulted the informant by butt of gun and
snatched Rs. 20,000/-, two mobile and the motorcycle from him.

Learned counsel for the petitioner submits that

nothing has been recovered from possession of the petitioner. The name of the petitioner has been surfaced on disclosure of co-accused Rahul Kumar Singh and petitioner has never put on TIP. It is stated that co-accused Rahul Kumar Singh was granted bail by a coordinate bench of this court vide Cr. Misc. No. 19001 of 2019. Petitioner is in custody since 23.06.2021 and petitioner bears criminal history of four cases of similar nature in which he is on bail. Charge sheet has already been submitted in the case and there is no likelihood of tampering the evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody as well as nature of allegation, charge sheet has already been submitted and co-accused Rahul Kumar Singh has already been granted bail by coordinate bench of this court and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 86 of 2018,

subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

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