

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8343 of 2022

Arising Out of PS. Case No.-401 Year-2016 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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VICY KUMAR @ VICKY RAI SON OF RAM BILASH RAI R/O
VILLAGE- PARMANADPUR, P.S.- SADAR, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjana, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 414, 420, 120B and 34 of the
Indian Penal Code.

The case relates to recovery of the stolen
motorcycles from the backside of house of the petitioner.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that the name of
this petitioner has surfaced in this case on the basis of
confessional statement of the co-accused, Sunil Kumar and
Vinay Kumar Roy. He further submits that nothing has been



recovered from the conscious possession of the petitioner rather the alleged recovery has been made from the backside of house of the petitioner. He further submits that the co-accused, Sunil Kumar and Vinay Kumar Roy have already been granted bail by a co-ordinate Bench of this Court vide order dated 16.12.2016 passed in Cr. Misc. No. 43432 of 2016 and the another co-accused, Shyam Nath Mahato has also been granted bail by a co-ordinate Bench of this Court vide order dated 16.01.2017. The petitioner is rotting in judicial custody since 06.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sadra P.S. Case No. 401 of 2016 with the 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 and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

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.

(Rajesh Kumar Verma, J)

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