

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8602 of 2022

Arising Out of PS. Case No.-270 Year-2021 Thana- CHHAURADANO District- East
Champaran

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Vikash Kumar Son Of Bhola Pandit R/O Village- Mahuawa, P.S.-
Chhauradano (Mahuawa), District- E. Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s : Mr. Binod Kumar, App

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 22-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within four
weeks from today.

The petitioner seeks regular bail in connection with
Chhauradano (Mahuawa) P.S. Case No. 270 of 2021 instituted
for the offences punishable under Sections 399, 402 and 414 of
the Indian Penal Code and 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 12.10.2021, charge-sheet has been
submitted in the case and has antecedent of one case.

The prosecution case, in short, is that five miscreants
riding over two motorcycles, on seeing police, they tried to flee



away but two miscreants riding over white motorcycle and three miscreants riding over red colour motorcycle were nabbed by the police party and three miscreants succeeded in fleeing away. On query, they disclosed their names, Baliram @ Bali, Arjun Kumar, Rahul Jaiswal, Ashish Kumar and Vikash Kumar (petitioner) and they told the name of their fleeing associates as Rahul Kumar, Sandip Kumar and Shiv Pujan Rai. On search, one live cartridge and a mobile were recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 12.10.2021 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two 14sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul at Motihari, East Champaran in connection with Chhauradano (Mahuawa) P.S. Case No. 270 of 2021 subject to 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 cancelled by the Court below.

(2) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

(3) 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.

(Khatim Reza, J)

Gaurav Kumar/-

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