

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19815 of 2021**

Arising Out of PS. Case No.-71 Year-2020 Thana- PARSAUNI District- Sitamarhi

VIKASH KUMAR Son of Kripali Patel @ Sanjay Rai Resident of Village-
Kathaur, P.S.-Parsauni, District-Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Adv

For the Opposite Party/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 07-01-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Parsauni
P.S.Case No.71 of 2020 registered for the offence under
Sections 394 and 411 of the Indian Penal Code.

As per the prosecution case, four accused persons on
two motorcycles are stated to have dispossessed the informant
of Rs.48,000/ in cash, his glamour motorcycle, mobile phone
besides other articles. It is further stated that the four accused
including the petitioner herein was caught and the informant's
motorcycle was recovered.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. He has falsely been
implicated in the present case. He further submits that on the



basis of suspicion and self-confession taken by the police on the plain paper the petitioner has been dragged in the present matter. He further submits that non-looted motorcycle has been recovered from the possession of the petitioner and till date no T.I. Parade has been held. He further submits that the police, after investigation, submitted chargesheet against the petitioner and other co-accused persons. He further submits that co-accused, namely, Rakesh Ram has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 16.09.2021 in Cr.Misc. No.19013 of 2021. Petitioner is in custody since 11.09.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 J.M., 1st Class, Sitamarhi in connection with Parsauni P.S. Case No.71 of 2020 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 cancelled 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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