

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12780 of 2022**

Arising Out of PS. Case No.-20 Year-2022 Thana- GORAU District- Vaishali

VIKASH KUMAR S/o Late Jalim Mahto R/o village- Kiratpur Raja Ram
(Ratanpura), P.S.- Bhagwanpur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 01-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with Goraul
P.S. Case No. 20 of 2022 registered for the offence under
Sections 392 and 411 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 16.01.2022.

The allegation against the petitioner is to commit theft
and while committing so taken away gold chain of the
informant.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner was falsely implicated in this case due



to local political issues and differences. It is submitted that petitioner was arrested by private persons, where alleged recovery was made from the pocket of the petitioner. It is also submitted that the seizure list is also disputed because informant of this case also became witness of the seizure list, suggesting that prosecution is ill-motivated. It is further submitted that petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner was arrested by private persons.

Considering the facts and circumstances as mentioned above, as petitioner was arrested by private persons, where petitioner is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Goraul P.S. Case No. 20 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-1st, Vaishali at Hajipur/concerned court, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically



present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Ful Kumari who is the mother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

R.S.Sen/-

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