

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13776 of 2022

Arising Out of PS. Case No.-226 Year-2021 Thana- KISHUNPUR District- Supaul

VIKASH KUMAR @ VIKKEE, S/o Vikram Yadav R/o village- Chandpiper,
P.S.- Kishnpur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 13-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Kishanpur P.S. Case No. 226 of 2021, registered for the

offences punishable under Sections 399 and 402 of the IPC.

As per allegation, on secret information that some

people are making preparation for committing dacoity, police

searched a white Swift car standing near the Chandpipra toll

tax and arrested the petitioner and his associates. It is also

alleged that some incriminating articles were also recovered

from the possession of the petitioner and his associates.

The learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner has been arrested merely on suspicion. He further submits that the petitioner has no criminal antecedent. The suspicion of the police that the petitioner was going to commit dacoity is totally baseless. Moreover, no arms have been recovered from the conscious possession of the petitioner, because alleged recovery of one arm is made from one Gajendra Kumar.

The petitioner is in custody since 13.11.2021

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

However, the learned APP for the State has opposed the prayer for bail.

Considering the facts and circumstances the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Supaul in connection with



Kishanpur P.S. Case No. 226 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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