

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17778 of 2022

Arising Out of PS. Case No.-196 Year-2017 Thana- LALGANJ District- Vaishali

VINAY KUMAR @ VINAY RAI S/o Mahesh Rai R/o village- Amritpur,
P.S.- Vaishali, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Chhaya Kirti, Advocate
	:	Mr.Gaurav Sharma, Advocate
For the Opposite Party/s	:	Ms.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-09-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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 Section 397 of the Indian Penal Code but the police after investigation submitted chargesheet under Sections 395 and 397 of IPC .

Allegation as per F.I.R. is that while the informant was going with cash of Rs. 4,95,640/- and odd, then some miscreants takeover his motorcycle and on the point of Katta, they snatched cash and motorcycle from the informant.



Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case only on the basis of suspicion. He further submits that nothing incrimination article has been recovered from possession of the petitioner and the co-accused persons, namely, Suryakant Pandey @ Golu Pandey @ Golu has already been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 26.11.2018 passed in Cr. Misc. No.66837 of 2018 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 19.11.2021.

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 court below where the case is pending in connection with Lalganj P.S.Case No.196 of 2017 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.

(3) 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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