

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18406 of 2022

Arising Out of PS. Case No.-779 Year-2021 Thana- KANKARBAG District- Patna

Vikram Kumar S/o Bhagwan Paswan @ Nunu Paswan @ Bhagwan Prasad,
R/o Village- Dushadhi Pakri, Near Gas Godam, P.O.- Lohiya Nagar, P.S.-
Kankarbagh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 457, 380 of the Indian Penal
Code but the police submitted the charge sheet against the
petitioner under Sections 380, 457, 411 of the Indian Penal
Code.

According to prosecution case, the informant
Samarjeet Kumar has filed a written statement before the
S.H.O., Kankarbagh police station alleging therein that on



17.08.2021 his laptop and two mobile phones have been stolen and when he called on his mobile, the same was found switched off, in the said mobile there are some personal data, which could be misused by some unknown person. It is further alleged that the theft has taken place from his room. The informant has given details of the theft articles i.e. two mobiles and a laptop of HP make.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that in fact the petitioner was arrested with the stolen Laptop which was recovered from the possession of the petitioner. He further submits that petitioner has no concern with the stolen laptop, mobile or the alleged occurrence and in fact the co-accused has handed over the stolen laptop to the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 18.08.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Kankarbagh P.S. Case No. 779 of 2021, corresponding to G.R. Case No. 5526 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 absence on two consecutive dates without sufficient reason, his 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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