

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19702 of 2022

Arising Out of PS. Case No.-422 Year-2019 Thana- KOILWAR District- Bhojpur

Vicky Kumar, Son of Rajesh Kumar Rai @ Rajesh Ray, Resident of Village -
Gidha, P.S. - Koilwar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

4 29-09-2022 The applicant/accused in Crime No. 422 of 2019 registered with Koilwar Police Station for the offence punishable under Section 392 of the Indian Penal Code at the instance of first informant Rakesh Kumar Singh, by this application is seeking his release on bail during pendency of the trial.

Heard both sides.

It is pointed out by the learned counsel for the applicant that on earlier occasion on incorrect premises that the applicant was seen in the CCTV footage committing the act, his bail application was rejected. It is further argued that co-accused Chotu @ Manish Singh against whom similar evidence is there is already released on bail by this Court vide order dated 01.12.2021 passed in Criminal Misc. No. 20781 of



2021. It is further argued that the evidence against the applicant is comprising of confessional statement of the co-accused.

The learned Additional Public Prosecutor is not disputing the fact. In submission of the learned Additional Public Prosecutor, evidence does not show that there is CCTV footage in which the applicant is shown committing the act.

In this view of the matter, on the principle of parity the applicant deserves to be released on bail and hence, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 422 of 2019 registered with Koilwar Police Station for the offence punishable under Section 392 of the Indian Penal Code be released on bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the



trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

Bhardwaj/-

U		T	
---	--	---	--

