

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22950 of 2022

Arising Out of PS. Case No.-383 Year-2021 Thana- KHAIRA District- Jamui

Vikram Kumar Son Of Prakash Yadav R/O Village- Devil, P.S.- Khaira,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjana Parihar. Advocate

For the Opposite Party/s : Mr. A.G.,

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-07-2022 Heard Sri. Niranjana Parihar, learned counsel
appearing on behalf of the petitioner and learned Additional
Public Prosecutor of the State.

Petitioner seeks bail in a case registered in
connection with Khaira P.S. Case No. 383 of 2021 for the
offences punishable under Sections 392 of the Indian Penal
Code.

As per the prosecution case, it is alleged that
while the informant was returning from Gidhor, in the
meantime, three unknown persons came on a motorcycle
intercepted him and on the point of pistol snatched his Hero
Honda (Splendor-pro) motorcycle, wallet and mobile
phone.

Learned counsel appearing on behalf of the petitioner



submits that the F.I.R has been instituted against unknown person. However, during the investigation on the basis of the CDR one Kunju Devi was interrogated and she disclosed the name of the petitioner stating therein that her son had purchased the mobile phone from the petitioner. It is further submitted that neither the petitioner nor the alleged mobile was put on TIP and save and except disclosure made by one Kunju Devi, there is no other material which suggest the complicity of the petitioner. It is also submitted that the petitioner has no concern with the mobile phone nor any looted article has been recovered from his possession. It is next submitted that this petitioner is a man of fair antecedent and is in custody since 05.02.2022 though the investigation of the crime is already completed.

On the other hand, learned counsel for the State vehemently opposed the bail application of the petitioner.

Having regard to the submission made on behalf of the parties and taking into consideration the fact that neither the petitioner nor recovered mobile was put on test identification parade and moreover, petitioner having fair



antecedent and is in custody since 05.02.2022 and the investigation has already been completed and charge sheet has been submitted, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No. 383 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) the petitioner will cooperate in conclusion of the trial.

(ii) he will remain present on each and every date of trial till disposal of the case.

(iii) he will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) in the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

N.K/-

(Harish Kumar, J)

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