

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23271 of 2022

Arising Out of PS. Case No.-92 Year-2021 Thana- DANAPUR RAIL P.S. District- Patna

Vikash Kumar son of Radha Choudhary Resident of Prayag Bigha, Police Station- Dalmia Nagar, District- Rohtas at present Renter of Dev Mahto, Mohalla- Bazar Samiti, Bakri Mandi, Police Station- Bahadurpur, District - Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Satrudhan Kumar, Advocate.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-07-2022 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with G.R.P. Canapur P.S. Case No. 92 of 2021 lodged under Sections 419 and 420/34 of the Indian Penal Code.

The prosecution case is that, the informant has written a report before SHO Danapur alleging that he and his co-villager came to Danapur Station to catch train and went to Bangalore for job, but they did not have confirmed ticket. Then a person contacted and cheated the informant and other passengers in the name of confirmed ticket. He had taken

Rs.5,000/- for confirming the railway ticket at Danapur Railway Station and fled away. After two days when the informant came at the station to board the train, then he caught raid handed to the said wrong doer namely Santosh Kumar on the spot and handed over to the police, where the said person disclosed two names that he is operating this business with the help of two persons and he figured the name of the petitioner also.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. For the alleged offence he is in custody since 14.09.2021 and chargesheet has already been filed in this case. Learned counsel for the petitioner further submits that in future petitioner will not involve in any criminal activity.

Learned counsel for the State opposes the prayer for bail and submits that, there is one more case of similar nature pending against the present petitioner.

Considering the facts and circumstances and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate (Railway), Patna, in connection with G.R.P. Danapur P.S. Case

No. 92 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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