

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46391 of 2021

Arising Out of PS. Case No.-21 Year-2021 Thana- SONPUR RAIL P.S. District- Saran

VICKY KUMAR Son of Mallu Rai @ Ram Ekbal Rai Resident of Village -
Bhagwanpur, P.S.- Avtar Nagar, Distt.- Saran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate.
		Ms. Preety Kunwar, Advocate.
For the Opposite Party/s :		Mr. Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 21-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Sonapur Rail P.S. Case No. 21 of 2021 for the offence
punishable under Sections 395 and 397 of the Indian Penal Code
and Section 27 of the Arms Act.

The prosecution case, in brief, is that while the
informant was travelling in Barauni-Gwalior Mail, 10-12
miscreants entered into the bogie and started inflicting the
passengers on the point of fire arm and in course of which the



informant who was the co-passenger sustained injury in right side of thigh and the accused persons robbed cash of Rs.2,000/- and a mobile phone of the informant.

Mr. N. K. Agrawal, learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that the F.I.R. is against unknown. Name of the petitioner has surfaced in course of investigation on the basis of confessional statement of co-accused Rahul Kumar. No T.I.P. has been done till date. Charge sheet has already been submitted. Petitioner has clean antecedent and is in custody since 01.05.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation made against the petitioner as well as period of custody, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Sonapur in connection with Sonapur Rail P.S. Case No. 21 of 2021, subject to the following conditions:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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