

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37763 of 2022

Arising Out of PS. Case No.-20 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

Vikash Ranjan Chaubey, Son of Devender Kumar Chaubey Resident of
village- Jagdishpur, P.S.- Khaira, District- Saran At chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 27-09-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Chhapra Muffasil P.S. Case No.20 of 2022 instituted under
Section 395 of the IPC.

As per the prosecution story, the informant alleged
that he is running a 'Grahak Sewa Kendra' in the S.B.I. Main
Road and when he opened his C.S.P., four accused persons
entered into it and on the pistol point, they took away
Rs.4,00,000/-. As he raised alarm, it is alleged that one of them
also opened fire.

Learned counsel for the petitioner submits that he is
not named in the FIR and his name has come in the confessional



statement of one Mohit Kumar and he further submits that thereafter police picked him up and forced to make confessional statement which has no value. His last submission is that despite the fact he is in custody since 10.01.2022, no T.I. Parade has been made and further some of the co-accuseds namely Jitesh Kumar Yadav @ Jitesh Kumar and Golu Kumar have since been released on bail vide Cr. Misc. No.22061/2022 and Cr. Misc. No.20521/2022 respectively.

Let the same be kept on record.

Considering the aforesaid facts that he is in custody since 10.01.2022, charge-sheet stands submitted and some of the co-accused as narrated above have since been granted bail, this Court is inclined to grant him privilege of bail after framing of charges in view of the fact that he does have criminal antecedent under his belt.

Let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Chhapra Muffasil P.S. Case No.20 of 2022 to the satisfaction of learned A.C.J.M., IX, Saran at Chapra, subject to following conditions:

(i) one of the bailor should be the family member of



the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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