

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39395 of 2022**

Arising Out of PS. Case No.-322 Year-2019 Thana- KAHALGAON District- Bhagalpur

VAKILDAS @ VAKIL RAVIDAS S/o Chunchun Das R/o village- Pakkisarai,
P.S.- Ghogha, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 30-09-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is an accused in connection with
Kahalgaon (Ghogha) P.S. Case No. 322 of 2019 under Section
356/379 of the Indian Penal Code.

As per the the FIR, on the alleged date of occurrence,
at about 9:00 P.M, the informant was going to his house
alongwith his wife after closing his shop. At the same time, two
persons came on motorcycle from behind and snatched the bag
containing Rs. 25,000/- forcefully and fled away. Accordingly,
FIR was lodged.



It has been submitted by the learned counsel for the petitioner that his name has come on the basis of co-accused Mithun Kumar and accordingly, is in custody since 28.01.2022 (as stated in the paragraph-13 of the bail application). He further submits that all other co-accused were granted bail , but only because he had criminal antecedent, he was denied bail. It is his last submission that the petitioner is ready to abide by all the terms and conditions, if granted the privilege of bail.

Learned APP for the State, on the other hand, opposes his bail.

Taking into account that his name has come only in the confessional statement of Mithun Kumar, is in custody since 28.01.2022, charge sheet stands submitted and ultimately he has to face the trial this Court is inclined to grant him privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Kahalgaon (Ghogha) P.S. Case No. 322 of 2019, subject to the 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/her bail bond by the Trial court itself;

(iii) the petitioner shall leave the district (Bhagalpur) for a period of three month(s) after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station concerned (where he will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months to mark attendance;

(v) 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;

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

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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