

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56620 of 2021

Arising Out of PS. Case No.-53 Year-2021 Thana- KESARIA District- East Champaran

BIKESH KUMAR @ VIKASH KUMAR S/o HARENDRA MAHTO R/o
VILLAGE-ROOP CHHAPRA, P.S-SAHEBGANJ, DISTRICT-
MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State through video
conferencing.

The petitioner seeks regular bail in connection with
Kesariya Police Station Case No. 53 of 2021, registered for the
offence punishable under Section 392 of the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that three unknown criminals looted away the mobile
of the informant.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case with oblique
motive. He next submits that there is delay in lodging of the
First Information Report inasmuch as the alleged occurrence has



taken place on 11.02.2021, but the First Information Report has been lodged on 14.02.2021, after the arrest of the petitioner and recovery of some mobile phones and the fire arms on 12.02.2021, for which, Kesariya Police Station Case No. 51 of 2021 was lodged. He further submits that the petitioner has been remanded in this case on 24.03.2021 and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the delay in lodging of the First Information Report, the fact that charge sheet has already been submitted and the petitioner is in custody since 24.03.2021, I am inclined to grant regular bail to the petitioner.

Accordingly, 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, East Champaran, at Motihari, in connection with Kesariya Police Station Case No. 53 of 2021.

(Anil Kumar Sinha, J)

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