

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55897 of 2021

Arising Out of PS. Case No.-171 Year-2020 Thana- BEERPUR District- Begusarai

VIVEK KUMAR, Son of Rakesh Kumar Rai @ Rakesh Kumar Roy, Resident of village – Sothgama, P.S. - Dalsinghsarai, District – Samastipur, wrongly mentioned in order impugned as P.S. Bidyapatinagar, District – Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-04-2022 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 Birpur P.S. Case No. 171 of 2020 for the offence punishable under Sections 394 and 397 of the Indian Penal Code.

The prosecution story, in brief, is that four accused persons committed robbery in IDBI Bank and looted cash amounting Rs. 6, 65, 570/-. The F.I.R. is against unknown.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is in custody since 08.01.2021. He



has been implicated in this case on the basis of information given by a spy in course of investigation. However no material has been collected against the petitioner. He further submits that petitioner has not been put on T.I.P. till date. There is no allegation of tampering with the evidence or influencing the witnesses.

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 and 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 ACJM-VI, Begusarai in connection with Birpur P.S. Case No. 171 of 2020, 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.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(6) The petitioner will make his attendance before the concerned police station under which his house is located fortnightly till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the police station shall submit his monthly attendance report to the Superintendent of Police having jurisdiction.

(Purnendu Singh, J)

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