

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56702 of 2021**

Arising Out of PS. Case No.-25 Year-2020 Thana- GHORASAHAN District- East
Champaran

BIKRAM KUMAR @ BIKRAM SAH S/O MUSAFIR SAH R/o village-
Bataua, P.S.- Shikarganj, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III,Adv

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 28-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Ghorasahan P.S.Case No.25 of 2020 registered for the offence under Sections 420,120B,392 of the Indian Penal Code.

According to the prosecution, the vehicle of the informant is said to have been looted on the point of gun.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. The petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of



the confessional statement of co-accused, namely, Abhishek Kumar. He further submits that nothing has been recovered from the possession of the petitioner. He further submits that till date no T.I. Parade has been conducted by the prosecution. He further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 18.03.2021. Learned counsel for the petitioner submits that co-accused, namely, Ram Vishwash Rai @ Ram Vishwash Yadav has been granted bail vide order dated 13.10.2020 in Cr. Misc. No.25877 of 2020, co-accused, namely, Subodh Kumar has been granted bail vide order dated 01.07.2021 in Cr. Misc. No.13912 of 2021 and co-accused, namely, Sateyendra Ram @ Satyendra Ram has been granted bail vide order dated 10.01.2022 in Cr. Misc. No.53630 of 2021 by different Coordinate Benches of this Hon'ble Court and the petitioner is in custody since 18.03.2021.

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

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional



Chief Judicial Magistrate -3, Sikrahna at Dhaka, East Champaran in connection with Ghorasahan P.S.Case No.25 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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