

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57876 of 2021

Arising Out of PS. Case No.-57 Year-2021 Thana- MOTIPUR District- Muzaffarpur

VIKASH KUMAR S/o Sanjay Das Resident of Village- Panapur, Ward No.
-12, O.P. Panapur, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Adv
For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-02-2022 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 Motipur P.S.Case No.57 of 2021 registered for the offence under Section 392 of the Indian Penal Code.

The FIR of the occurrence of loot is against unknown.

Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. He has falsely been implicated in the present case only on the basis of the confessional statement taken by the police from the petitioner in another case i.e. Motipur P.S.Case No.69 of 2021. He further



submits that the petitioner remanded in this case on 18.06.2021 but till date no T.I. Parade has been conducted by the police. He further submits that co-accused, namely, Shashi Kumar has been granted bail vide order dated 25.01.2022 in Cr. Misc. No.55972 of 2021 by this Court and the petitioner is in custody since 18.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

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-2nd, West, Muzaffarpur in connection with Motipur P.S.Case No.57 of 2021 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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