

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50655 of 2022

Arising Out of PS. Case No.-194 Year-2021 Thana- UDAKISHUNGANJ District-
Madhepura

BIKASH KUMAR @ VIKASH KUMAR @ VIKASH KUMAR YADAV S/o
Vijay Yadav Resident of Village- Arshi @ Arsi, Ward No.8, P.S.- Sonbarsa @
Sonbarsha Raj, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-12-2022 Heard the learned counsel appearing for the petitioner
and learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with
Uda Kishunganj P.S. Case No.194/2021 for the offence
punishable under Section 395 of the Indian Penal Code.

The case of the prosecution in brief is that while the
informant was travelling on a pick-up van on 05.07.2021 and
had reached near a brick kiln situated in village- Sukhasani, 8-
10 miscreants armed with various weapons had intercepted him
and snatched a sum of Rs. 12,000/-, his mobile phone etc. on
gun point. In the meantime, a police vehicle had arrived there
and the police had caught two persons on the spot including the
petitioner herein, however, rest of the miscreants had managed
to flee away.

The learned counsel for the petitioner has submitted



that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 06.07.2021. It is further submitted that the petitioner is having a fair antecedent inasmuch as he is an accused in one other case, which arises out of the present case and has been lodged under the provisions of the Arms Act for the same incident. It is further submitted that neither any illicit arms nor any looted articles has been recovered from the possession of the petitioner and he has already been suitably punished on account of his incarceration.

Per contra, the learned A.P.P. appearing for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that no looted cash amount was recovered from the possession of the petitioner apart from the fact that he is having a fair antecedent, barring one other case, which also arises out of the present incident and he is stated to be languishing in custody since 06.07.2021, I deem it fit and proper to direct for release of the petitioner on regular bail.



Accordingly, the petitioner, above named, is directed to be released on bail upon him furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Uda-Kishunganj, Madhepura in connection with Uda Kishunganj P.S. Case No. 194 of 2021.

(Mohit Kumar Shah, J)

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