

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63272 of 2021

Arising Out of PS. Case No.-6 Year-2020 Thana- PANDARAK District- Patna

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Vikash Kumar S/o Genhari Yadav R/o village- Champapur, P.S.-
Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

9 29-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Pandarak P.S. Case No. 6 of 2020, lodged under Section 395 of
the Indian Penal Code.

As per the prosecution case, the allegation of *dacoity*
is there in the F.I.R. against 6 unknown criminals.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He also
submits that nothing was recovered from the possession of the
petitioner and petitioner was not put on TIP. Learned counsel
further submits that petitioner has been remanded in the present

case and he is in custody since 07.12.2020. Charge sheet has already been filed in this case. Learned counsel also submits that petitioner has been made accused in this case only and only due to the reason that his antecedent is not clean and there are total 19 criminal cases pending against the petitioner. Learned counsel further submits that the other co-accused persons having almost similar allegation, have already been granted bail by the Co-ordinate Bench of this Court vide orders dated 08.07.2021 in Cr. Misc. No. 18780 of 2021, vide order dated 26.08.2021 in Cr. Misc. No. 12641 of 2021, vide order dated 14.09.2021 in Cr. Misc. No. 34840 of 2021, vide order dated 28.01.2022 in Cr. Misc. No. 38929 of 2021, vide order date 29.01.2022 in Cr. Misc. No. 40303 of 2021, vide order dated 29.01.2022 in Cr. Misc. No. 42699 of 2021.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Barh, in the district of Patna in connection with Pandarak P.S. Case No. 06 of 2020,

subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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