

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66672 of 2021

Arising Out of PS. Case No.-139 Year-2021 Thana- BALIYA District- Begusarai

Vikram Yadav, Son of Prakash Yadav, Resident of Bahgatpur, P.S. Baliya,
District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Parmanand Kumar, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Baliya P.S. Case No.139 of 2021 registered for the offences punishable under Section 392 of the Indian Penal Code. He is in custody since 18.08.2021.

Learned counsel for the petitioner submits that he has filed a supplementary affidavit earlier in which it is stated that the petitioner has got two criminal antecedents in which petitioner is on bail.

As per the prosecution story, the informant has alleged that on 17.05.2021 while she was going to her house from Begusarai to Sadipur Diyara along with her dewar, two accused persons stopped



them and one of them put pistol on her dewar Priyanshu and another snatched her purse. The informant further stated that in her purse two mobile phones, one Pan Card and Rs.3,000/- were there.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. Learned counsel submits that nothing incriminating has been recovered from the possession of the petitioner and his name has transpired in the confessional statement of the co-accused Rupesh Kumar Paswan.

Learned counsel submits that the co-accused Rupesh Kumar Paswan and Nikesh Kumar @ Ritesh Kumar have been granted bail by this Court and learned coordinate Bench of this Court respectively in Cr.Misc.No.65051 of 2021 and Cr.Misc.No.63388 of 2021.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the name of the petitioner has transpired in the confessional statement of the co-accused Rupesh Kumar Paswan, there is no recovery of any incriminating article from the possession of the petitioner and he has not been put on TIP even as he is in custody since 18.08.2021 and the further submission that the co-accused Rupesh Kumar Paswan and Nikesh Kumar @ Ritesh Kumar have been granted bail by this Court and learned coordinate Bench of this Court respectively in Cr.Misc.No.65051 of 2021 and Cr.Misc.No.63388 of 2021 as also



that the presence of the petitioner may be secured in course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Baliya P.S. Case No.139 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

