

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.70563 of 2021**

Arising Out of PS. Case No.-137 Year-2020 Thana- DHARHARA District- Munger

VIKKI KUMAR, Son of Rajkumar @ Nanku @ Pappu Prasad, Resident of
Village - Bijali Office Garaipar, Patna City, P.s.- Khanjakala, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 12-01-2022 Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the Stamp Reporter within
four weeks after start of normal functioning of this Court.

Heard Mr. Shashi Shekhar Kumar Prasad, learned
counsel for the petitioner and Mr. Akhileshwar Dayal, learned
A.P.P. for the State.

This application has been filed afresh on behalf of the
petitioner to obtain bail in connection with Dharhara (Hemjapur
O.P.) P.S. Case No. 137 of 2020 registered for the offences
punishable under Sections 399, 402 of the Indian Penal Code
and Section 25(1-b)a, 26(i) and 35 of the Arms Act.

His prayer for bail was earlier allowed by this Court
vide order dated 30.06.2021 in Cr. Misc. No. 14547 of 2021 but



because of the conditions prescribed therein since the petitioner had not disclosed his complete criminal antecedent in the petition, the learned court below has not accepted his bail bond.

Learned counsel for the petitioner submits that the petitioner has got three criminal antecedents and in all the cases he is on bail as stated in paragraph '3'. It is his further submission that misstatement of the petitioner regarding the criminal antecedent, the petitioner has already remained in custody for more than six months since the order granting bail to the petitioner and that itself is a punishment for the petitioner.

Mr. Akhileshwar Dayal, learned A.P.P. for the State has though opposed the prayer for bail of the petitioner but considering that the petitioner is on bail in all the cases as stated in paragraph '3' and further that this Court had granted him bail earlier vide order dated 30.06.2021 in Cr. Misc. No. 14547 of 2021 for the reasons stated therein, this Court directs release of the petitioner above named on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of Shri Vishwajeet Kumar, learned Judicial Magistrate 1st Class, Munger in connection with Dharhara (Hemjapur O.P.) P.S. Case No. 137 of 2020, subject to the conditions as laid down under Section 437(3) of the 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

vats/-

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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'.

