

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.159 of 2022

Arising Out of PS. Case No.-274 Year-2021 Thana- BUXAR District- Buxar

Vikash Kumar @ Vikash Singh

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Pandey, Adv

For the Opposite Party/s : Mr.Awadhesh Kumar SinghAPP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 22-08-2022 Heard learned counsel for the petitioner as well
as learned Additional Public Prosecutor for the State

Petitioner seeks bail in a case registered in connection with Buxar Town P.S.Case No. 274 of 2021 for the offences punishable under Sections 392 of the Indian Penal Code.

As per the prosecution case, it is alleged that on 17.06.2021 at 9.30 pm, when the informant reached near his shop after collecting Rs. 4 lac from different places, in the meantime three unknown persons entered into his shop and on the point of pistol snatched Rs. 4 lac from the informant and further the miscreants also looted Rs 2 lac cash from his drawer and other valuables from the shop . It is also alleged



that all the three miscreants had covered their faces due to which he could not recognize them. The informant suspected the hands of the petitioner in the present crime.

Learned counsel for the petitioner submits that the name of the petitioner has transpired on the confessional statement of co-accused Sushil Pandey and on his confession, the petitioner was arrested and on search country made loaded pistol along with live cartridge were recovered. It is also submitted that Rs. 30,000/- cash was also recovered from possession of this petitioner. It is submitted that recovered cash amount is not the looted property rather the same is obtained after selling wheat. It is next submitted that neither petitioner nor the alleged looted money has been put on TIP and moreover, the petitioner is in custody since 19.06.2021 in connection with Buxar Town P.S.case NO. 275 of 2021 from where he has been remanded in the present case. On 09.07.2021. Investigation of the crime is already completed and the charge sheet has been submitted.

On the other hand, learned counsel for the State vehemently opposed the bail application and submits that



looted money has been recovered from person or possession of the petitioner. He has found involved in two other cases.

Having heard the rival contentions of the parties and taking into consideration the fact that neither the petitioner nor recovered money has been put on TIP. Save and except confessional statement, no other material has come during the course of investigation and he is in custody since 19.06.2021, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar Town P.S. Case No. 274 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.



(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 cancelling 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.

(Harish Kumar, J)

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