

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2705 of 2023

Arising Out of PS. Case No.-595 Year-2022 Thana- BIDUPUR District- Vaishali

VICKI KUMAR Son of Shambhu Paswan Resident of Village- Murauatpur,
P.S.- Desari, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Bidupur P.S. Case No. 595 of 2022 dated 7.11.2022
registered for the offence under Section 392 of the Indian
Penal Code.

Three accused persons are alleged to have looted
the motorcycle of the informant along with a small steel box
containing ornaments of the informant on the point of gun.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that the petitioner has not named in the FIR,



however, his name has been transpired in this case during the course of investigation on the basis of his self-confession before the police. He further submits that it appears from the FIR and the seizure list that one mobile phone has been recovered from the house of the petitioner but the same is not the stolen one. Nothing incriminating has been recovered from the conscious possession of the petitioner nor he has been put on T.I.P. He further submits that except self-confession of the petitioner, no cogent material has surfaced in this case against the petitioner suggesting his involvement in the alleged occurrence. The petitioner is rotting in judicial custody since 17.11.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Vaishali in connection with Bidupur P.S. Case No. 595 of 2022 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

Ajay Singh/-

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