

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24791 of 2022

Arising Out of PS. Case No.-158 Year-2019 Thana- BAKHARI District- Begusarai

VIKASH KUMAR @ BABLU KUMAR Son of Lalan Rai @ Kari Singh
Resident of village - Narayan Pipar, P.S.- Khodawandpur (Chhowali OP),
Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 19-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Bakhri P.S. Case No. 158 of 2019 registered for the offence punishable under Section 395 of the Indian Penal Code.

The allegation is regarding 4-6 miscreants, who were travelling in a vehicle, having intercepted a pickup van, which was being driven by the informant, whereafter they had snatched the said pickup van, mobile phone of the informant and a sum of Rs. 2800/- from the informant and then they had fled away.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 24.01.2021. It is further submitted by the learned counsel for the petitioner that though the petitioner is an accused in six other cases but he is on bail in all of them. It is also submitted that neither any Test Identification Parade has been held so as to connect the petitioner with the alleged crime nor any snatched/ looted articles have been recovered from the possession of the petitioner. Lastly, it is submitted that similarly situated co-accused person has already been granted bail by a Co-ordinate Bench of this Court vide order dated 24.01.2022 passed in Criminal Miscellaneous No. 39416 of 2021.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials



available on record as also considering the parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by a Co-ordinate Bench of this Court, though I deem it fit and proper to admit the petitioner to the privilege of bail, however, subject to certain conditions, considering his bad antecedent.

Accordingly, the petitioner, above named, is directed to 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 Chief Judicial Magistrate, Begusarai in connection with Bakhri P.S. Case No. 158 of 2019.

It is further directed that the petitioner would mark his attendance before the concerned Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week, starting from the day he is released from custody and in the event of his failure to do so on two consecutive occasion, the present privilege of bail shall stand cancelled automatically and the petitioner shall be



taken into custody forthwith.

(Mohit Kumar Shah, J)

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