

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39712 of 2023

Arising Out of PS. Case No.-85 Year-2019 Thana- BARGAINIA District- Sitamarhi

Vikram Suman Jha @ Bittu Jha @ Vikram Jha S/O Suman Kumar Jha R/O
Village- Bengahi, P.S- Bairgeniya, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Bairgania P.S. Case No.85 of 2019 registered for the offences punishable under Sections 394 and 302 of the Indian Penal Code and Section 27 of the Arms Act. The petitioner has got no criminal antecedent.

3. As per the prosecution story, on 15.04.2019 the informant along with his brother was going to his CSP center by motorcycle with case of Rs.2,93,000/- which was withdrawn by informant from Bank of Baroda. It is alleged that in between Sekhauna and Pachtaki Rai, two miscreants boarded on Apache motorcycle overtook the informant and looted away case of Rs.2,93,000/-, mobiles etc. on the point of pistol. It has further



been alleged that one of the miscreants fired upon the brother of the informant which hit his head due to which he fell down.

4. Learned counsel submits that the name of the petitioner has transpired after about two and half years of the alleged occurrence on the basis that one of the co-accused who was arrested by police was found talking to one Praful Kumar Jha and the said Praful Kumar Jha informed that the said mobile was being used by this petitioner. It is submitted that the petitioner is serving in a private organization at Mumbai and he has no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case wherein it appears that the name of the petitioner has transpired after about two and half years of the alleged occurrence on the basis that one of the co-accused who was arrested by police was found talking to one Praful Kumar Jha and the said Praful Kumar Jha informed that the said mobile was being used by this petitioner, the petitioner has no criminal antecedent and he claims that he is serving in a private organization at Mumbai, in the circumstances, this Court directs that in case of his arrest/surrender within a period of four weeks



from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Bairgania P.S. Case No. 85 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

9. The case diary be returned.

(Rajeev Ranjan Prasad, J)

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