

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36032 of 2023

Arising Out of PS. Case No.-334 Year-2020 Thana- BARAUNI District- Begusarai

VIKKY MISHRA @ VIKKI MISHRA @ BABA S/O LAKHO MISHRA R/O
Village- Ramdiri, P.S- Matihani, Distt.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Gautam, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 04-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Barauni (FCI) P.S. Case No. 334 of 2020 registered under Sections 414 of the Indian Penal Code and Section 25 (1-b)A, 26 and 35 of the Arms Act lodged on 31.08.2020 by the informant, Rajiv Ranjan Kumar.

3. As per the prosecution story, three accused persons were intercepted/apprehended on a motorcycle with arms. Accordingly, they were taken into custody, seizure list prepared and the FIR lodged.

4. It is the case of the petitioner that his name has come in the confessional statement of Chandan Kumar who was one of the three persons apprehend and country made revolver



and a mobile recovered from him. It is his further submission that the said Chandan Kumar has been granted bail in Cr. Misc. No. 13633 of 2021 vide order dated 10.08.2021 (Annexure-2) and he is in custody since 06.01.2021 (as stated in paragraph-8 of the petition).

5. Learned APP opposes the prayer for bail stating that he has criminal antecedent of same nature.

6. Taking into account the fact that he has not been arrested from the spot, name has come in the confessional statement, the person apprehended has since been granted bail, as stated above, and is in custody since 06.01.2021.

7. Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Barauni (FCI) P.S. Case No. 334 of 2020, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her



bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Jagdish/-

U			
---	--	--	--

