

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47728 of 2023**

Arising Out of PS. Case No.-152 Year-2023 Thana- RAJAPAKAR District- Vaishali

VICKY KUMAR @ BHOLA Son of Shri Prahlad Singh Resident of village -  
Rahimapur, ward no. 9, P.S. - Bidupur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anuj Kumar, Adv.  
For the Opposite Party/s : Mrs. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      04-08-2023                      1. Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 29.04.2023 seeks  
bail, in connection with Rajapakar (Baranti O.P.) P.S. Case No.  
152/2023, dated 28.04.2023, for the offences punishable under  
Sections 399, 402, 413, 414 of the IPC & Sections 25(1-b)a, 26  
and 35 of the Arms Act.

3. According to prosecution case, one knife has been  
recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the  
petitioner has clean antecedent and he has falsely been  
implicated in the present case. He further submits that from  
perusal of the F.I.R. as well as seizure list, it appears that one  
knife has been recovered from the possession of the petitioner,



so, no case under the Arms Act is made out against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 29.04.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned C.J.M., Vaishali at Hajipur in connection with Rajapakar (Baranti O.P.) P.S. Case No. 152/2023, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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)**

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