

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53297 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- RAMPUR CHAURAM District-
Jehanabad

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Vikki Kumar, Son of Ravi Singh, Resident of Village Sukhi Bigha, PS
Rampur Chauram, Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh, Advocate
For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Rampur Chauram P.S. Case No. 11 of 2023 instituted under Section 392 of the Indian Penal Code lodged on 28.01.2023 by the informant Anwar Hussain.

As per the prosecution story, a truck broke down, some persons came and inquired about the problem. Later they returned and snatched Rs. 4500 as also the mobile and after threatening him left the place. Accordingly, the FIR.

The case of the petitioner is that one Chandan Kumar provided the mobile to use little realizing the same belongs to the truck driver and is looted one. He had suffered motorcycle accident and was admitted in AIIMS on 25.01.2023 and as such,



on the date of occurrence (27.01.2023) he could not have been present at the place of occurrence. The further submission is that for the said Act for taking the mobile phone from Chandan Kumar, as a repentance, he would pay Rs.5,000/- to the concerned truck driver by way of demand draft to be submitted before the trial court and handed over to the informant after checking the credentials. This is being paid irrespective of the outcome of the present case and/or accepting the allegation.

Learned APP opposes the prayer for bail.

Taking into account the submissions of the learned counsel for the petitioner, he was admitted in AIIMS prior to the date of occurrence, has no criminal antecedent and is in custody since 12.07.2023, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail subject to the payment of Rs.5000/- on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each in connection with Rampur Chauram P.S. Case No. 11 of 2023 to the satisfaction of learned A.C.J.M.-I, Arwal, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his



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 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 the 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)

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