

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51823 of 2022

Arising Out of PS. Case No.-225 Year-2020 Thana- VAISHALI District- Vaishali

Vijay Rai Son Of Musafir Rai Resident Of Village- Sorhatta, P.S.- Vaishali,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul Kumar
		Mr. Vinod Kumar, Advocate
For the Opposite Party/s	:	Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 25-07-2023 Heard Mr. Ansul Kumar, learned counsel for the
petitioner and learned APP for the State.

Petitioner seeks bail, who is in custody since
07.04.2022, in connection with Vaishali P.S. Case No. 225 of 2020,
F.I.R. dated 11.07.2020 registered for the offences punishable
under Section 395 of the Indian Penal Code.

The F.I.R. of the occurrence of loot is against
unknown.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the petitioner is not named
in the F.I.R. and the name of the petitioner has been transpired
during investigation on the basis of confessional statement of co-
accused person namely Aman Kumar and thereafter self



confessional statement of the petitioner was recorded and to lead recovery of vehicle in question from the possession of the petitioner. He further submits that charge has already been framed against the petitioner and till date prosecution has not examined any witness as yet and the petitioner is in custody since 07.04.2022.

The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner, and submits that the vehicle in question was recovered from the possession of the petitioner and apart from that the petitioner carries nine more cases other than the present one.

Considering the facts and circumstances of the case and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 225 of 2020, 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 witness, 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 antecedents, 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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