

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53421 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- PHENHARA District- East Champaran

1. Vikash Singh @ Vikash Kumar S/O Madan Mohan Singh
2. Nanu Sah @ Nunu Sah @ Tarkeshwar Sah S/O Sri Niwas Sah
Both R/O Village- Ibrahimpur Parsauni (Parsauni), P.S. Phenhara, Dist. East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 53604 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- PHENHARA District- East Champaran

Chunnu Kumar Son Of Nand Kishor Sah Resident Of Village- Siraha, P.S-
Pakridayal, Distt- East Champaran At Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 53421 of 2023)

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 53604 of 2023)

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-08-2023 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

2. The petitioners seek bail in connection with

Phenhara P.S.Case No.40 of 2023, F.I.R. dated 21.03.2023

registered for the offence punishable under Section 392 of the



Indian Penal Code.

3. The prosecution case, in short, is that on 21.03.2023 at about 9.45 P.M., the informant was returning home after closing his medicine shop and in the same course three boys snatched his Hero Splendor Plus black-silver motorcycle and mobile and fled away and the name of one of the miscreants was Alok.

4. Learned counsel appearing for the petitioners submits that petitioner-Vikash Singh @ Vikash Kumar carries one more case other than the present one, petitioner-Nanu Sah @ Nunu Sah @ Tarkeshwar Sah and petitioner-Chunnu Kumar have clean antecedent. They have falsely been implicated in the present case on the basis of the confessional statement of petitioner-Nanu Sah @ Nunu Sah @ Tarkeshwar Sah and confessional statement of petitioner-Chunnu Kumar. Further submits that nothing have been recovered from conscious possession of petitioner-Vikash Singh @ Vikash Kumar and petitioner-Nanu Sah @ Nunu Sah @ Tarkeshwar Sah, one looted mobile has been recovered from possession of Chunnu Kumar. Learned counsel for the petitioner submits that till date the said mobile has not been put on TIP and even the petitioners have not been put on TIP by the prosecution and petitioner-



Vikash Singh @ Vikash Kumar and petitioner-Nanu Sah @
Nunu Sah @ Tarkeshwar Sah are in custody since 24.05.2023
and petitioner-Chunnu Kumar is in custody since 25.05.2023
respectively.

5. Learned APP for the State has opposed the prayer
for bail of the petitioners.

6. Considering the aforesaid fact, let the petitioners,
above named, be released on bail on furnishing bail bond of
Rs.10,000/- (Ten Thousand) each with two sureties of the like
amount each to the satisfaction of learned C.J.M., East
Champaran, Motihari (petitioner-Vikash Singh @ Vikash Kumar
and petitioner-Nanu Sah @ Nunu Sah @ Tarkeshwar Sah)/
learned Judicial Magistrate 1st Class, Motihari, East Champaran
(petitioner-Chunnu Kumar) in connection with Phenhara
P.S.Case No.40 of 2023, with the following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient
reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the
witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Nitesh/-

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