

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57122 of 2023

Arising Out of PS. Case No.-278 Year-2015 Thana- PAROO District- Muzaffarpur

Vipul Kumar Son of Lal Babu Bhagat Resident of Village-Salempur, P.S.-
Lalganj, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Let the defect no. 6(1) be ignored.

3. Petitioner seeks bail, who is in custody since
28.01.2023, in connection with Paroo P.S. Case No. 278 of 2015,
F.I.R. dated 04.12.2015 registered for the offences punishable
under Section 395 of the Indian Penal Code.

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

5. 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 Mehul Sudarshan. He further submits that except the confessional statement of co-accused, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence and nothing has been recovered from the possession or the house of the petitioner and till date no test identification parade was conducted by the prosecution. He further submits that the police after investigation submitted chargesheet on 18.03.2023 against the petitioner and the petitioner is in custody since 28.01.2023.

6. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries three cases other than the present one but fairly submits from paragraph-3 of the petitioner that the petitioner is on bail in all the three cases.

7. Considering the facts and circumstances of the case, 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 Court No. 2, Judicial Magistrate 1st Class, Muzaffarpur (West) in connection with Paroo P.S. Case No. 278 of 2015, 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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