

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57068 of 2022

Arising Out of PS. Case No.-158 Year-2022 Thana- BHAGWAN BAZAR District- Saran

VIKASH KUMAR @ VIKASH KUMAR RAM, aged about 27 years, male,
S/o Late Mohan Prasad R/o Village- Bishunpura Tola Dargechak, P.S.-
Bankata, Distt- Deoriya(U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 16-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Bhagwan Bazar PS Case No. 158 of 2022, registered for the offence punishable under Section 395 of the Indian Penal Code.

The petitioner is not named in the First Information Report (*for brevity FIR*), which has been lodged for burglary in the shop of the informant from where Rs. One Crore and Fifteen Lakhs was looted.

Learned counsel for the petitioner submits that there is no recovery from the petitioner or from his house. His name has been stated by co-accused, namely, Anish Kumar Manjhi in his confessional statement recorded in police custody, which has no evidentiary value. Anish Kumar @ Anish Kumar Manjhi has been allowed bail vide order passed in Cr. Misc. No. 46081 of 2022.

The petitioner is in custody since 24-05-2022, having no criminal antecedents.



Learned APP for the State has opposed the prayer for bail. It is submitted that co-accused has stated about the petitioner's being member of the gang indulging in burglary.

Considering the rival submissions, period of custody, manner of petitioner's implication and his clean antecedents, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 ACJM-1 Chapra, in connection with Bhagwan Bazar PS Case No. 158 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.(ii)That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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