

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60825 of 2023

Arising Out of PS. Case No.-278 Year-2023 Thana- BARHARA District- Bhojpur

VIKASH KUMAR, S/O SARDAR NAT @ SATAR NAT RESIDENT OF
VILLAGE PACHRUKHIYA PS KOILWAR DIST BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Advocate
For the State : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-10-2023 1. Heard learned counsel for the petitioner and
learned APP for the State of Bihar.

2. The petitioner is apprehending his arrest in
connection with Barhara P.S. Case No. 278 of 2023 registered
for offence under Section 392 of Indian Penal Code.

3. Upon recovery of a mobile phone, earlier looted
from the informant, from one *Vicky Kumar*, he was apprehended
and while in custody, he has stated the name of the petitioner as
being a relative.

4. It is submitted by learned counsel for the petitioner
that there is no recovery from the petitioner. Merely on
statement of co-accused, that also not imputing any allegation
against the petitioner, he has been implicated. The petitioner has



no criminal antecedents.

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

6. Considering the rival submissions, nature of petitioner's implication, the fact that no recovery is alleged from the petitioner, and his clean antecedents, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

7. Petitioner's prayer for anticipatory bail is allowed.

8. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 Chief Judicial Magistrate, Bhojpur at Ara, in connection with Barhara P.S. Case No. 278 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also 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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