

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62635 of 2022

Arising Out of PS. Case No.-27 Year-2017 Thana- MOKAMAH District- Patna

Vikash Kumar Son of Kumar Arun Prasad Singh, R/o Vill.- Chhedi Singh Ke Tola, P.S.- Athmalgola, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Adv.

For the Opposite Party/s : Mr. Nand Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-02-2023 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Mokama P.S. Case No. 27 of 2017, lodged under Section 395 of the Indian Penal Code.

As per prosecution case, the F.I.R. has been filed against 6-7 unknown accused persons. The allegation of *dacoity* with the informant, in which, his Maruti Suzuki car, Rs.9,000/- cash and two Mobile sets is the subject matter of this case.

Learned counsel for the petitioner submits that name of petitioner has figured in this case by virtue of confessional statement of co-accused. He further submits that from the order passed by Session Court, it transpires that one Munna Kumar



Singh was the mastermind behind the said crime, who has been granted bail by the Trial Court. He further submits that accused Vivek Kumar Mishra from whose confession name of petitioner has figured in this case has also been granted bail by the Co-ordinate Bench of this Court vide order dated 25.07.2017 passed in Cr. Misc. No. 31766 of 2017. Learned counsel for the petitioner further submits that antecedent of petitioner is clean and he is in custody since 22.08.2022.

Learned counsel for the State opposes the prayer for bail and submits that this case is of the year 2017 and presently 2023 is going on but trial has not been commenced till date.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, his bail application stands **rejected**.

Liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

Trial Court is directed to release the petitioner on bail upon move for bail after framing of charge, imposing its own conditions, so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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