

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65026 of 2022

Arising Out of PS. Case No.-225 Year-2021 Thana- BELA District- Sitamarhi

Vivek Kumar, S/O Nagendra Mandal R/v- Sonbarsa, P.S.- Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-03-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered under Sections 395 and 397 of the Indian Penal Code, Section 27 of the Arms Act and Section 3/4 of Explosive Substance Act.

As per the prosecution case, some miscreants holding arms entered the house of the informant and took away Rs. 3,00,000/-, Golden chain, Mobile and other materials. Further, one miscreant was apprehended by the Chowkidar but he



managed to flee away exploding bomb.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has six criminal antecedents as stated in para 3 of the bail petition. The petitioner is not named in the FIR and the name of the petitioner has transpired on the basis of confessional statement of other co-accused persons. No T.I. Parade has been conducted by the prosecution. The petitioner is in custody since 15.02.2022.

Learned counsel for the petitioner further submits that the others co-accused have already been granted bail by the Co-ordinate Bench vide order dated 19.09.2022 passed in Cr. Misc. No. 34749 of 2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with Bela P.S. Case No. 225 of 2021, with a condition:-

1. The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

Arish/-

U			
---	--	--	--

