

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66043 of 2022**

Arising Out of PS. Case No.-406 Year-2021 Thana- KHAIRA District- Jamui

Vikram Kumar, Son of Prakash Yadav R/V- Dabil, P.S- Khaira, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 17-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences
punishable under Section 392 of the Indian Penal Code.

As per averment of F.I.R., the case of the prosecution is
that on 02.11.2021 at about 8 P.M. in the night, informant was
returning on his Pulsar motorcycle bearing no JH-10BR-0919 and
reached near Jakhraj Sthan of Gidhaur from back side and three
persons on a motorcycle pushed informant. Two of them assaulted
over nose and face of the informant. Accused flee away with the
motorcycle of informant. F.I.R. lodged against unknown persons.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. He submits
that it appears from F.I.R. that the petitioner is not named in the
F.I.R. He further submits that from perusal of the case diary showing



confessional statement of the petitioner, in which he stated about his involvement in the occurrence with other accused persons namely Diwakar and Jitendra. He further submits that the petitioner has not been put on T.I.P.. Petitioner have got two criminal antecedents and the petitioner is on bail in both the cases and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 12.05.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner, on the ground that petitioner carry two criminal antecedents.

Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Khaira P.S. Case No. 406/ 2021, 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 witnesses, 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 antecedent, 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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