

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70167 of 2022**

Arising Out of PS. Case No.-372 Year-2022 Thana- BHAGWAN BAZAR District- Saran

Vikarama Kumar @ Vikram, aged about 24 years, Gender-Male, Son of Ramesh Ram Resident of village - Kashi Bazar, District - Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                    |   |                                |
|--------------------|---|--------------------------------|
| For the Petitioner | : | Mr. Ajit Kumar Singh, Advocate |
| For the State      | : | Mr. Sanjay Kumar Pandey, APP   |

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      04-03-2023      This matter has been taken up today for consideration through video conferencing.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Bhagwan Bazar P.S. Case No. 372 of 2022, registered for the offence punishable under Section 392 of the Indian Penal Code (for brevity 'IPC').

Prosecution case alleges that while the informant along with another person was on his way, he was lured by two (2) persons into a dark alley, where four (4) other persons were waiting. Together, the six (6) accused persons have taken away the belongings of the informant by threatening him with knife.

Learned counsel for the petitioner submits that petitioner has no criminal antecedents. He is not named accused in the First Information Report (hereinafter referred to as the 'FIR') and he is in custody since 02.08.2022. The alleged recovery of



two (2) mobile phones from the petitioner were in his *bona fide* possession, as the mobile phones belong to him. His implication is based only on statement of co-accused, extracted in police custody, having no evidentiary value whatsoever. It is also submitted that co-accused, namely, Rohit Kumar, has been allowed bail in Cr. Misc. No. 58504 of 2022. The petitioner has not even been put on Test Identification Parade (for brevity 'TIP').

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

Considering the rival submissions, nature of allegations, and the manner in which the petitioner has been implicated, his clean antecedents, period of custody and claim based on parity, 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 Additional Chief Magistrate Ist, Saran at Chapra, in connection with Bhagwan Bazar P.S. Case No. 372 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.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

**(Madhuresh Prasad, J)**

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