

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71030 of 2023

Arising Out of PS. Case No.-453 Year-2023 Thana- DHAKA District- East Champaran

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VICKY KUMAR @ VICKY RAJ SON OF PRABHU PRASAD @
PRABHU SAH R/O VILLAGE- ASHOGI, WARD NO.9, P.S.- BARGINIYA,
DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Dhaka P.S. Case No. 453 of 2023 registered on 09.08.2023
lodged under Sections 394 and 411 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against three named accused persons excluding the petitioner
alleging that they have committed robbery against the informant
of his E-rickshaw with the help of other accused person.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that upon
minute reading of the F.I.R., it becomes crystal clear that the
said F.I.R. has been manipulated with the help of police and the



name of petitioner has come only three person has been arrested first and subsequently identified by the informant. Counsel further submits that petitioner is in custody since 09.08.2023 having one criminal case pending against him, in which he is on bail.

5. Learned counsel for the State opposes the prayer for bail and submits that the antecedent of the petitioner is not clean.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail *after framing of charge* and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikarhana at Dhaka, East Champaran in connection with Dhaka P.S. Case No. 453 of 2023 subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates



without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

7. With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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