

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69003 of 2022

Arising Out of PS. Case No.-83 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Mikki Thakur @ Mikki Mouse Son of Sri Mohan Thakur R/V- Bhutane, P.S-
Bochahan, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pradeep Kumar Sinha
For the Opposite Party/s : Mr.Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

The F.I.R. of the occurrence of loot is against
unknown.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that three freezers, one Lenova Laptop and
one Vipro Company Laptop and other articles have been
recovered from the house of the petitioner. He further submits



that there is non compliance of Section 100 of the Cr. P.C. She further submits that some articles were recovered in connection with Bochahan P.S. Case No. 126 of 2020 under Section 411, 414 of the Indian Penal Code in which the petitioner was granted bail vide order dated 09.11.2020 by the learned Court below itself. He further submits that similarly situated co-accused Vicky Kumar @ Vickey Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 07.02.2023 passed in Cr. Misc. No. 60451 of 2022 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 08.06.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries three more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sadar (Muzaffarpur) P.S. Case No. 83 of 2020, G.R. No. 716 of 2020, with 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 witness, 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 antecedents, 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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