

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6993 of 2024

Arising Out of PS. Case No.-348 Year-2022 Thana- UJIYARPUR District- Samastipur

Vikash Kumar Son Of Ram Bilash Mahto R/O-Lagunia Raghukanth, Ward
No. 10, P.S.-Samastipur (Mufassil), Distt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
S.T. No.389 of 2023, arising out of Ujiyarpur P.S. Case No.348
of 2022, lodged on 23.10.2022, under Sections 395/412 of the
Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
eight unknown accused persons against whom there is
allegation of dacoity.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that some of the co-accused persons were granted bail



by the trial Court itself and one co-accused has been granted bail by a co-ordinate Bench of this Court vide order dated 20.12.2023 passed in Cr. Misc. No.80309 of 2023. Counsel submits that the petitioner is in custody since 20.01.2023 and is accused in eight more criminal cases, in which he is on bail. Counsel further submits that nothing has been recovered from the possession of the petitioner nor he was put on Test Identification Parade.

5. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean. There are eight criminal cases pending against the petitioner which are either robbery or dacoity or theft.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **on being satisfied by the trial Court that he is not absconding in any of the criminal cases i.e., (i) Bibhutipur P.S. Case No.367 of 2022, (ii) Bibhutipur P.S. Case No.405 of 2022, (iii) Bibhutipur P.S. Case No.414 of 2022, (iv) Bibhutipur P.S. Case No.412 of 2022, (v) Samastipur (Muffasil) P.S. Case No.299 of 2022, (vi) Samastipur (Muffasil) P.S. Case No.323 of 2022, (vii) Samastipur (Muffasil) P.S. Case No.363 of 2022, (viii)**



Samastipur (Muffasil) P.S. Case No.452 of 2022, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Dalsingsarai, Samastipur, in connection with S.T. No.389 of 2023, arising out of Ujiyarpur P.S. Case No.348 of 2022, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(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.

(Dr. Anshuman, J)

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