

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13035 of 2024

Arising Out of PS. Case No.-626 Year-2022 Thana- CIVIL LINE District- Gaya

Vikki Kumar @ Vikki Bharti @ Biky Kumar Son Of Vinay Bharti @ Guddu
Bharti R/O-Mali Gali, P.S.-WAZIRGANJ, Distt.-GAYA, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 420, 467, 468 and 34 of the IPC.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of three cases and he came to be
implicated at the instance of informant based on confessional
statement of apprehended accused in police custody which does
not have any evidentiary value. It is next submitted no doubt
petitioner has antecedent but then the informant taking
advantage of the antecedent got him implicated through the
apprehended accused. It is further submitted that apart from
confession no material has come during the course of
investigation which could even remotely connect the petitioner



with the offence. It is next submitted petitioner will not abscond rather will cooperate in the investigation.

4. The learned APP, Mr. Chandra Bhushan Prasad vehemently opposes the anticipatory bail application of the petitioner and submits that the allegation is serious in nature and is related to tampering with the ATM machines of the bank as such money of innocent account holders is not safe. It is further submitted that in the event if petitioner is granted the privilege of anticipatory bail, in that event he may tamper with the evidence.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Gaya in connection with Wazirganj P.S. Case No.626 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with further condition that one of the bailor shall be his father, namely, Vinay Bharti @ Guddu Bharti.

6. However, it is made clear that in the event if the



Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner and to take all coercive steps to ensure that petitioner is behind bar.

7. It is further made clear that if the police after investigation submits charge sheet connecting the petitioner with the offence, in that event, the present anticipatory bail order shall loose its effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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