

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34877 of 2024

Arising Out of PS. Case No.-389 Year-2023 Thana- PUNPUN District- Patna

Vikash Kumar S/o Ram Prakash Chaudhary R/O VILL-DHARHARA, P. S.-
PUNPUN, DIST-PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 31-07-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Punpun P.S. Case No. 389 of 2023 for the offence under Sections 379, 414 and 34 of the I.P.C. lodged on 30.11.2023 by the informant, Amod Kumar Singh.

3. As per the prosecution story, the informant alleged that upon secret information, the house of Golu Kumar and Krishna Kumar was raided and four motorcycles recovered/seized, on demand of papers they said that it is with the family members but subsequently the family members denied having any such paper. Thereafter, they confess that these are stolen motorcycles given by this petitioner for selling it. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that it is



an admitted fact that the recovery/seizure is from the house of the house of Krishna Kumar/Golu Kumar only because of his name being confessed before the police, the implication and the last submission is that he will be diligently appearing in trial.

5. Learned APP opposes the prayer submitting that his name has come in the confessional statement.

6. Taking into account the aforesaid submissions as also the fact that recovery/seizure is from the house of Golu Kumar and Krishna Kumar and his name has come in the confessional statement, FIR lodged and will be facing the trial, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Masauhi, Patna in connection with Punpun P.S. Case No. 389 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her 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 bond by the Trial Court itself;

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

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

(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 his bail bonds.

(Rajiv Roy, J)

Adnan/-

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