

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37081 of 2024

Arising Out of PS. Case No.-143 Year-2023 Thana- LADANIA District- Madhubani

Vikky Purbay @ Vikash Purbay @ Vicky Purbey @ Vikash Purbey Son of
Pradip Kumar Purve Resident of village - Kamlabari Purab Tol Ward No.- 13,
Police Station - Jay Nagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks bail in connection with a case
registered for the offence punishable u/s 392 of the IPC.

3. Allegedly, some miscreants are said to have committed
theft of the motor cycle of the informant, in which, cash of
Rs.79,600/- and documents relating to loan were kept.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. He is not named in the F.I.R. and has been
falsely implicated in this case due to ulterior motive. During
investigation, one co-accused was apprehended by the police
and on his confessional statement, the name of petitioner



transpired in this case. No incriminating article has been recovered from the conscious physical possession of the petitioner. The petitioner has two criminal antecedent and has been languishing in custody since 21.02.2024.

5. Learned APP for the State opposed the prayer for bail.

6. Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/Successor Court in connection with Ladaniya P.S. Case No.143/2023, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in



the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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