

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37236 of 2024

Arising Out of PS. Case No.-199 Year-2022 Thana- INDUSTRIAL AREA District- Vaishali

Vikash Kumar @Vikash Paswan Son Of Nagendra Paswan Village- Selget
Sultanpur, Ps- Industrial Area, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gagandeo Yadav, Advocate
	:	Mr.Udeshya Kumar Yadav, Advocate
	:	Mr.Rajesh Kumar, Advocate
For the Opposite Party/s :		Mr.Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Industrial Area P.S. case No. 199 of 2022 instituted for the offences under Sections 413, 414/34 of the Indian Penal Code.

3. Prosecution case, in short, is that three persons were selling the stolen submersible pump on the alleged place. Seeing the police, the accused persons tried to flee away but two of them were apprehended and recovery of mobile phones and submersible pump was made. It is further alleged that the apprehended persons disclosed that this petitioner fled away from the spot.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The petitioner was not apprehended on the spot rather his name was disclosed by the co-accused persons who were apprehended on the spot. No incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the stolen article. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.02.2023 and has two criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Industrial Area P.S. case No. 199 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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