

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41123 of 2024

Arising Out of PS. Case No.-190 Year-2023 Thana- PARIHAR District- Sitamarhi

Vikram Kapar Son of Gaya Kapar R/O Village - Singhwahini, P.S. Sonbarsa,
Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-06-2024 Heard learned counsel appearing on behalf of

the petitioner and learned APP appearing on behalf of

the State.

2. The petitioner seeks bail in connection with

Parihar P.S. Case No. 190 of 2023 registered for the

offences under Sections 392, 411 and 414 of Indian

Penal Code.

3. The petitioner is named in the F.I.R. and is

in custody since 22.07.2023.

4. The allegation against the petitioner is to

commit robbery alongwith other co-accused persons and

while committing so taken away mobile phone belongs to



the informant.

5. Learned counsel appearing on behalf of petitioner submitted that petitioner has been falsely implicated with the present case out of local disputes and differences. It is further submitted that the petitioner was apprehended by private persons out of said disputes and differences and planted with the present case. It is further submitted that mobile phone was shown seized by private persons and was presented before the police. While concluding the argument it is submitted that petitioner found involved in two more criminal cases, where he is on bail and moreover, investigation of this case is completed for which, charge-sheet has already submitted and as such there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above and by taking note of the fact as arrest



and seizure appears to be made by private persons, coupled with the fact as petitioner is in custody since 22.07.2023, where charge-sheet has already submitted, accordingly, petitioner above named, is directed to be released on bail in connection with Parihar P.S. Case No. 190 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist, Sitamarhi/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C. with further conditions:-

(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption



from physical appearance be allowed
by the Trial Court, only on medical
ground of the petitioner duly supported
by the documents.

(Chandra Shekhar Jha, J.)

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