

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48926 of 2024

Arising Out of PS. Case No.-117 Year-2023 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Vikram Kumar son of Anant Singh Village- Bandwar, Ward No.17, Ps- Nima
Chandpura Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.Tr. No. 102 of 2024, arising out of Nowkothi P.S. Case No.
117 of 2023 lodged under Sections 399, 402 and 120B of the
I.P.C. read with sections 25(1-AA), 25(1-b)a, 26 and 35 of the
Arms Act.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner has earlier been rejected vide
order dated 31.01.2024 passed in Cr. Misc. No. 3113 of 2024 in
which liberty was granted to him to renew his prayer for bail
four months after framing of charge.

4. Learned counsel for the petitioner further submits
that the charge has already been framed in this case on
01.02.2024 and four months have been lapsed.

5. Counsel for the petitioner submits that petitioner's



antecedent is not clean. There are two criminal cases pending against him in which he is on bail in both cases.

6. Learned counsel for the State opposes the prayer for bail and submits that report has been called for. From the report, it transpires that out of 5 charge-sheet witnesses, two witnesses have already been examined.

7. It transpires to this Court that no purpose shall be solved in keeping the petitioner in custody.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail **on being satisfied by the trial court that the petitioner is not absconding in any cases i.e., (i) Nima Chandpura P.S. Case No.87 of 2020 (ii) Nima Chandpura P.S. Case No.60 of 2022 which are pending against him**, on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-III, Begusarai or its available successor court in connection with S.Tr. No. 102 of 2024, arising out of Nowkothi P.S. Case No. 117 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his *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 bonds by the Trial Court itself;

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

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

(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 the bail bonds.

9. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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