

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49761 of 2024

Arising Out of PS. Case No.-293 Year-2023 Thana- ARA NAGAR District- Bhojpur

Vishal Kumar @ Vishal Prasad SON OF MISHARI PRASAD VILLAGE-
SONGHATA, PS- KOILWAR (GIDHA), DIST- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Singh

For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Ara Nagar P.S. Case No. 293/2023 registered under Section 392 of the Indian Penal Code lodged on 13.04.2023 by the informant, Chandrakant Tiwary.

3. As per the prosecution story, the informant alleged that on way to Kaimur, the vehicle brokedown and while it was being repaired, the accused came and on the point of pistol looted gold chain, mobile and cash which led to F.I.R.

4. Learned counsel for the petitioner submits that he is in custody since 14.04.2024 and has falsely been implicated and nothing incriminating material has been recovered from his conscious possession.



5. Learned APP for the State opposes the prayer and submitted that the petitioner has criminal antecedent.

6. Taking into account the aforesaid fact as also there is no recovery from his conscious possession though there is criminal antecedent under his belt, he will diligently appear in the trial, this Court is inclined to grant him privilege of bail after framing of charge.

7. Let the petitioner be released on bail after framing of charge, on furnishing bail of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Bhojpur at Ara in connection with Ara Town P.S. Case No. 293/2023 subject to the following conditions:

(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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station till the conclusion of trial to mark 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 his 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 the bail bonds.

(Rajiv Roy, J)

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