

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52941 of 2024

Arising Out of PS. Case No.-345 Year-2020 Thana- LAUKAHA District- Madhubani

Vibhesh Kumar Gurmaita, Son of Vinod Gurmaita, Resident of Village-
Chaturbhuj Piprahi, P.S.- Laukaha, District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-09-2024 Heard Mr. Ravi Ranjan, learned counsel for the
petitioner and Mr. Ajay Kumar Jha, learned APP for the State.

2. The petitioner in the present case is seeking regular
bail in connection with Laukaha P.S. Case No. 345 of 2020
registered for the offences punishable under Sections 392/411 of
the Indian Penal Code. He has no criminal antecedent. He is in
custody since 27.03.2024.

3. As per the prosecution story, on 11.12.2020 when
the informant along with his co-villager, namely, Md. Anwar
was going to garage, three persons intercepted them and
assaulted them. They asked the informant to give the key of the
motorcycle which the informant denied whereafter they placed
gun on his temporal region, snatched the key of the bike and
mobile phone of the co-villager. The informant has identified
the three persons as Durgesh Kumar, Vibhesh Kumar Gurmaita

(this petitioner) and Binod Ram.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. It is submitted that the petitioner and the informant are local persons and the reason for the occurrence is said to be business rivalry. It is further submitted that the petitioner has otherwise no criminal antecedent and is in custody in connection with this case since 27.03.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Having regard to the submissions that the petitioner has been falsely implicated in this case and in this regard, it is submitted that the petitioner and the informant are local persons and both are sharing a common local market and known to each other, therefore, the petitioner cannot indulge in committing robbery with the informant, the reasons are said to be business rivalry and the petitioner who has otherwise no criminal antecedent is in custody in connection with this case since 27.03.2024, considering these aspects of the matter, this Court directs that the petitioner above-named shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the

satisfaction of learned Additional Chief Judicial Magistrate, Jhanjharpur (Madhubani) in connection with Laukaha P.S. Case No. 345 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedents of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bonds of both the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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