

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65050 of 2024

Arising Out of PS. Case No.-263 Year-2024 Thana- SUGAULI District- East Champaran

Vivek Kumar @ Vivek Sarkar S/O Vishambar Sarkar R/O Lal Saraiya, P.S-
Manjhauliya, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Shailendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 30-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sugauli P.S. Case No. 263 of 2024 dated 16.06.2024 registered for the offences punishable u/s 393 of the Indian Penal Code.

3. As per the prosecution case, three unknown miscreants are alleged to have assaulted the informant's brother with Danda. When the informant went to rescue, all the accused persons also assaulted him and one of them assaulted him with knife on his neck which hit his hand causing injury. Thereafter, all the accused persons tied them with Gamchha and looted his motorcycle, a mobile phone worth Rs. 22,000/- and a smart watch worth Rs. 2500/-.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up during the course of the investigation. No TIP has been conducted by the prosecution. Nothing has been recovered from the conscious possession of the petitioner. The allegation against the petitioner is that the seized car which was used in the crime belonged to him. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 04.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Sugauli P.S. Case No. 263 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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