

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80605 of 2024**

Arising Out of PS. Case No.-65 Year-2024 Thana- SARAI District- Vaishali

Vikram Kumar Singh @ Banti Singh @ Vikram Kumar, Son of Late Dileep Singh @ Dilip Kumar, R/o Vill.- Akhtiyarpur Petera, P.S.- Sarai, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      20-12-2024                      Heard learned Advocate for the petitioner and learned  
Additional Public Prosecutor for the State.

2. This is an application for grant of bail to the petitioner, who is in custody in connection with Sarai P.S. Case No. 65 of 2024, registered for the offences punishable under Sections 379/34 of the Indian Penal Code.

3. Allegedly, while the informant was purchasing some goods by parking his splendor plus motorcycle bearing Registration No. BR31AV-3114, he found that some unknown miscreants stolen his motorcycle. On the basis of the CCTV footage, the informant identified the thief as Nehal Kumar. Nearby people also disclosed the name of the petitioner and co-



accused Munna Kumar as member of the gang.

4. Learned Advocate for the petitioner contended that the petitioner is not named in the FIR. However, during the course of investigation, the apprehended co-accused disclosed the name of the petitioner as his accomplice. Save and except the confessional statement, there is no other material suggesting complicity of the petitioner in the crime. There is no recovery of any stolen motorcycle from the possession of the petitioner. Co-accused Ravi Kumar @ Dastakiya @ Dashakiya having identical allegation has been allowed the privilege of bail by this Court in Cr. Misc. No. 57590 of 2024 vide order dated 21.08.2024. The petitioner has been incarcerated since 30.07.2024 and now the investigation of the crime is complete and the charge-sheet has been submitted.

5. On the other hand, learned APP for the State opposed the bail application and submitted that the petitioner bears six criminal antecedent, which clearly suggests the involvement of the petitioner in the crime.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case is based on the confessional statement of co-accused, coupled with the fact that the offence, in question, is triable by the



Magistrate and now the investigation of the crime is complete and the charge-sheet has been submitted, apart from the period of custody, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-X, Vaishali at Hajipur in connection with Sarai P.S. Case No. 65 of 2024, subject to the condition that one of the bailors shall be the own/close family members of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.
- (v) The court below shall verify the criminal antecedent 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 immediate step for cancelling the bail



bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

**(Harish Kumar, J)**

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