

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82504 of 2024

Arising Out of PS. Case No.-482 Year-2023 Thana- SUGAULI District- East Champaran

Vikash Kumar S/o- Suresh yadav Resident of village-Bhataha Ps- Sugauli
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 03-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sugauli
P.S. Case No. 482 of 2023 instituted for the offences under
Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that while the
Informant was going to his *Sasural* on his Motorcycle, on the
way, three unknown miscreants, riding on a Pulsar Motorcycle,
stopped him and, on the point of pistol, snatched his motorcycle,
laptop, etc. and fled away from there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



He further submits that neither anything incriminating has been recovered from the conscious possession of the petitioner nor was even put on Test Identification Parade. The name of the petitioner has surfaced in this case on the basis of the confessional statement of the co-accused Vikash Kumar. He further submits that the police under duress recorded the confessional statement of the petitioner and the co-accused but, the same is not admissible in law under Section 25 of the Evidence Act. The petitioner has no concern with the alleged occurrence. The petitioner has two criminal antecedents in which he is on bail and is languishing in judicial custody since 31.01.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Sanjeet Ram has been granted bail by this Court vide order dated 30.04.2024 passed in Cr. Misc. No. 32327 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sugauli P.S. Case No. 482 of 2023.

(Rudra Prakash Mishra, J)

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