

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3571 of 2024

Arising Out of PS. Case No.-43 Year-2020 Thana- DEHRI TOWN District- Rohtas

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1. Vikas Kumar Son of Late Sahendra Singh, resident of Village-Rudrapura, Police Station-Dehri (M), District-Rohtas.
 2. Vicky Kumar son of Prem Chand Singh, resident of Village-Rudrapura, Police Station-Dehri (M), District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2024 Heard Mr. Raghunandan Kumar Singh, learned
counsel for the petitioners and Mr. Rajendra Nath Jha, learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Dehri (Town) P.S. Case No. 43 of 2020, F.I.R. dated 16.01.2020 for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

3. According to prosecution case, petitioners along with others are said to have the theft the tractor of the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. He further submits that petitioners are named



in the F.I.R. and name of the petitioners and others have been transpired in this case only on the basis of the disclosure made by the co-accused person namely, Ravi Ranjan Kumar. He further submits that except the disclosure of the co-accused person, no other material has come during the investigation to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioner no.1 carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances and the fact that the name of the petitioners have come on the basis of the disclosure made by the co-accused person, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Dehri, Rohtas in connection with Dehri (Town) P.S. Case No. 43 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. 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.

(Rajesh Kumar Verma, J)

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