

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2113 of 2024

Arising Out of PS. Case No.-194 Year-2023 Thana- ADAPUR District- East Champaran

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Vishal Kumar @ Vishal Kumar Singh S/O MANTU KUMAR SINGH @
MANTU SINGH VILLAGE- LAXMIPUR, PS. ADAPUR, DISTT. EAST
CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Narayan Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.Tr. No. 2599 of 2023, arising out of Adapur (Harpur) P.S.
Case No. 194 of 2023 lodged under Section 392 of the I.P.C.,
1860.

3. As per the prosecution case, the F.I.R. has been
lodged against unknown accused persons with allegation that
those accused persons have committed robbery of motorcycle
and original registration card which was kept in dikki, looted by
the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits



that F.I.R. has been lodged against unknown and the case has been lodged against the petitioner which is magisterial triable in nature.

5. Counsel submits that petitioner's antecedent is not clean and there are three criminal cases pending against him. He submits that petitioner is in custody since 04.08.2023.

6. Upon specific query whether charge has been framed or not. Counsel submits that charge has already been framed in this case.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Motihari, East Champaran in connection with S.Tr. No. 2599 of 2023, arising out of Adapur (Harpur) P.S. Case No. 194 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his



bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

9. However, petitioner shall be granted bail with condition that prior to release him on bail, the trial court shall ascertain that the petitioner is not absconding in any of the cases.

(Dr. Anshuman, J.)

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