

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44804 of 2025

Arising Out of PS. Case No.-343 Year-2022 Thana- EKMA District- Saran

Vikash Kumar Ram S/o Shivnath Ram R/o vill - Banpura Bazar, Ward No 14,
P.S.- Janta Bazar, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-07-2025 Heard Mr. Ashok Kumar Mishra, learned counsel
for the petitioner and Mr. Surendra Kumar, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
15.04.2025 in connection with Ekma P.S. Case No. 343 of 2022,
F.I.R. dated 22.08.2022 for the offences punishable under
Section 392 of the Indian Penal Code.

3. According to prosecution case, two unknown
miscreants from bike intercepted the informant and on the point
of gun they snatched Rs. 1,05,000/-, mobile phone, tab, etc.
from the informant and fled away.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that the petitioner is not named



in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused, namely, Rohit Kumar and except the confessional statement of the co-accused, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence and till date no T.I.P. has been conducted by the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Rohit Kumar who has confessed the name of the petitioner has been granted bail by a Co-ordinate Bench of this Court vide order dated 05.05.2023 passed in Cr. Misc. No. 11485 of 2023 and another co-accused, namely, Shani Kumar has been granted anticipatory bail by this Court vide order dated 31.01.2024 passed in Cr. Misc. No. 2162 of 2024. The petitioner is in custody since 15.04.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the said case.

6. Considering the aforesaid facts and circumstances



that the petitioner is not named in the FIR and his name has been transpired on the basis of the confessional statement of the co-accused person who has been granted bail by a Co-ordinate Bench of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Saran at Chapra in connection with Ekma P.S. Case No. 343 of 2022, subject to the following conditions:-

i. Petitioner 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 petitioner tampers 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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