

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83400 of 2024

Arising Out of PS. Case No.-39 Year-2023 Thana- BITHAN District- Samastipur

Vikram Kumar @ Vikram Paswan Son of Manoj Paswan R/o Village - Jagadishpur, P.S.- Bhagwanpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Diwakar, Advocate Mr. Vikash Bharti, Advocate Ms. Priya Kumari, Advocate Mr. Deepak Kumar, Advocate Mr. Shubham Ranjan, Advocate Ms. Saheeba Naz, Advocate Mr. Shivam Kumar, Advocate
For the State	:	Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 20-02-2025 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Bithan P.S. Case No. 39 of 2023 instituted for the offence under Sections 392 & 411 of the Indian Penal Code.

3. Prosecution case in short is that on 03-04-2023, the informant and his co-worker were returning from electricity billing work when three unidentified men on a motorcycle robbed them at gunpoint near *Gaighat*, taking four mobile phones, Rs. 22,000/-, and important documents. The assailants also broke the informant's printer, assaulted him and fled



towards *Ganguli*.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05-06-2024. Petitioner bears ten criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Nitish Kumar. Nothing incriminating has been recovered from the possession of the petitioner. Recovery is made from other co-accused persons. Police after investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to paragraph No. 29 of the case diary, it is submitted that recovery is made from the possession of the co-accused.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after*



framing of charge, if not already framed, 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 Bithan P.S. Case No. 39 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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