

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83664 of 2024

Arising Out of PS. Case No.-40 Year-2023 Thana- BITHAN District- Samastipur

Vikram Kumar @ Vikram Paswan @ Vikram 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
	:	Ms. Saheeba Naz., Advocate
	:	Mr. Sudhakar Ranjan, Advocate
For the Opposite Party/s	:	Mr. Pronoti Singh, APP

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

ORAL ORDER

3 25-02-2025 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. 40 of 2023 instituted for the offences under
Sections 356, 379, 411 of the Indian Penal Code.

3. Prosecution case, in short, is that, three unknown
miscreants robbed the person of Rs. 10,000/-, three mobiles, and
a bag containing IDs and ATM Cards on the point of pistol and
fled away.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case during investigation on the basis of confessional statement of the co-accused Nitish Kumar which has no evidentiary value in the eye of law. No incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that T.I.P. has not been conducted till date. Learned counsel further submitted that petitioner has got no concern with the looted articles. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.06.2024 and has ten criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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. 40 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)

Alok Verma/-

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