

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85295 of 2024

Arising Out of PS. Case No.-230 Year-2023 Thana- RAGHOPUR District- Vaishali

Vicky Kumar Son of Pappu Shah R/o Village-Sukumarpur, P.S.- Raghapur
(Rustampur O.P.) District- Vaishali Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.

Mr.Md Soban Asghar, Adv.

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-02-2025 Heard Mr. Suneel Kumar Singh, learned counsel for
the petitioner and the State.

2. The petitioner is in judicial custody in connection with Raghapur (Rustampur OP) P.S. Case No. 230 of 2023 for the offences punishable under Sections 147, 148, 341, 323, 324, 307, 353 r/w 149 of the IPC, lodged on 01.10.2023 by the informant, Jyoti Bhushan.

3. As per the prosecution story, the informant alleged that during upon secret information, the place was raided and a number of country made liquor *Bhatti* were demolished. The villagers resorted to pelting of the stones which hit the informant on his nose causing bleeding. It was only after a fire was made in the air, the miscreants left the place. This led to the FIR.

4. It is the case of the petitioner that he merely



because of the criminal antecedent, implicated. Further, nothing has been recovered from his conscious possession, has already suffered by being in custody since 29.08.2024 (para-4 of the petition). The last submission is that irrespective of the outcome of the present case and or accepting the allegation he intends to pay Rs.15,000/- (Fifteen thousand) to the informant to be paid through the demand draft issued by the local State Bank of India branch in favour of the informant and submit before the concerned Court.

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Considering the submissions put forward by the parties as also the fact he has remained in custody since 29.08.2024, FIR lodged, will be facing the trial, this Court is inclined to extend him the privilege of bail, subject to the payment of Rs. 15,000/- (Fifteen thousand) through demand draft issued by the local State Bank of India in favour of the informant which shall be handed over after checking the credentials

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned



Judicial Magistrate, 1st class, Hajipur, Vaishali in connection with aforesaid P.S. Case subject to the following conditions:

- (i) one of the bailors should be the family member/relative 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 bond by the Trial Court itself;
- (iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;
- (iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;
- (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 his bail bonds.

(Rajiv Roy, J)

perwez

U		T	
---	--	---	--

