

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90265 of 2024

Arising Out of PS. Case No.-96 Year-2024 Thana- GARHI District- Jamui

Bikki Kumar @ Vikki Kumar Son of Shyam Turiya R/O Village- Farkipathhr
P.S.- Kawakol (Kauakole) District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-02-2025 Heard Mr. Pawan Kumar, learned counsel for the

petitioner and Mr. Nand Kishore Prasad, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
30.09.2024, in connection with Garhi P.S. Case No. 96/2024,
FIR dated 15.08.2024 registered for the offence under Sections
303(2) and 3(5) of the B.N.S., 2023.

3. The case relates to theft of bolero pick up of the
informant by unknown.

4. Learned counsel appearing for the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that the petitioner has
not been named in the F.I.R., the name of the petitioner has been
transpired in this case on the basis of the confessional statement



of the co-accused person, namely, Kaushal Kumar who was apprehended in Kawakol P.S. Case No 282 of 2024 and petitioner has been remanded in the present case from Garhi P.S. Case No. 106 of 2024. He further submits that except the aforesaid no other cogent material has come during the investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 30.09.2024.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that it has come during the investigation that the petitioner was also involved in the present crime in question and apart from that the petitioner carries four more cases other than the present one but fairly submits on the basis of the paragraph no.3 of the bail petition that out of four cases the petitioner is on bail in two cases.

6. Considering the aforesaid facts, let the, above named, petitioner 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 learned Judicial Magistrate, 1st Class,



Jamui in connection with Garhi P.S. Case No. 96 of 2024 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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