

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46890 of 2019

Arising Out of PS. Case No.-91 Year-2019 Thana- VAISHALI District- Vaishali

RAHUL KUMAR Son of Amarjeet Baitha Resident of Village-Jarang Baitha,
P.S.-Vaishali (Belsor O.P.), District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 29-07-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Vaishali (O.P. Belsar) P.S. Case No. 91/19 registered for the offence punishable under Sections 399/401/402/ of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

Learned counsel for the petitioner submits that only because he is having a dispute with the local Mukhiya, the petitioner is being repeatedly implicated in false cases under the Arms Act although in both the cases, there have been no recovery from his possession. It is further submitted that in the present case also there was no recovery from the petitioner, but he was named in the F.I.R.



by a co-accused in his confessional statement which has no evidentiary value. He, thus, submits that the petitioner may be extended the privilege of anticipatory bail.

Considering the aforementioned facts and circumstances, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur, in connection with Vaishali (O.P. Belsar) P.S. Case No. 91/19, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C., subject to the following conditions:-

- (1) Father of the petitioner will be the bailor.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself



available as and when so required and in case of failure,
the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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