

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22852 of 2021

Arising Out of PS. Case No.-250 Year-2020 Thana- MADHUBANI TOWN District-
Madhubani

=====

Rakesh Kumar Giri @ Rakesh Giri, Son of Suraj Giri Resident of Village-
Goshala Chowk Gorakshani Tola, P.S.- Rajnagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Adv.

For the State : Smt. Asha Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 25-11-2021 Heard learned counsel appearing on behalf of the
petitioner as learned counsel appearing for the State.

Petitioner seeks bail in connection with Madhubani
Town P.S. Case No.250 of 2020 for the offence punishable
under Sections 399, 402 IPC and Section 25(1-b)a, 26/35 of the
Arms Act.

Prosecution case in brief, is that at about 6 O'clock
near the house of Hariom Yadav, raid was conducted and it was
found that five persons were separately conspiring in search
Rakesh Kumar Giri (petitioner) was found in possession of two
live cartridges in the left side pocket of full-pant and a mobile
set and cash rupees one thousand. All the five accused persons
were apprehended. A seizure list was prepared and petitioner
was witnessed to the said seizure list.



Learned counsel appearing on behalf of the petitioner submits that nothing incriminating was recovered from his possession and he has falsely been implicated in this case. He put his signature under coercion before the police personnel. Learned counsel appearing on behalf of the petitioner further submits that the petitioner is in custody since 01.10.2020, and accordingly he be enlarged on bail.

Learned APP has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/-(Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Madhubani Town P.S. Case No.250 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

Prakash Narayan /-

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

