

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4230 of 2021

Arising Out of PS. Case No.-208 Year-2020 Thana- BANIAPUR District- Saran

=====

Rahul Kumar @ Rahul Kaur, aged about 23 years, Male, Son of Pramod Kumar Kuar @ Pramod Kuar Resident of Village - Bangara Nadipar, P.S.- Jalalpur, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sudama Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-05-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Baniyapur P.S. Case No. 208 of 2020 registered for the offence under Sections 341, 504, 385, 307 and 34 the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, this petitioner is alleged to have fired on the father of the informant, but it did not hit him (informant's father).

It is submitted on behalf of the petitioner that petitioner has been falsely implicated in this case due to village politics and as per F.I.R., no injury has been caused to anyone. It is further submitted that co-accused Jiut Ojha and Sujit Ojha



have already been granted bail by the court below itself, vide Annexure – 2 to the petition. Petitioner has got clean antecedent and he is in custody since 16.09.2020. Chargesheet has been submitted.

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed. Let the petitioner, above named, 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 Chief Judicial Magistrate, Saran in connection with Baniyapur P.S. Case No. 208 of 2020 with further conditions:

“(i) Petitioner shall cooperate 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.”

(Prabhat Kumar Singh, J)

anay/-

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

