

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3511 of 2022

Arising Out of PS. Case No.-162 Year-2021 Thana- NAGAR District- Vaishali

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GOLD FLAK @ SHIVU @ GOLU KUMAR Son of Dinesh Rajak Resident
of Mohalla- Nakha Chowk, P.S.- Town Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Opposite Party/s : Mr. Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-06-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned

APP for the state.

The petitioner seeks regular bail in connection with

Hajipur Town P.S. Case No. 162 of 2021, registered for the

offences punishable under Sections 399, 402, 353, 413, 414 of

the Indian Penal Code and Sections 25(1-b)a, 26, 27 and 35 of

Arms Act.

As per prosecution story, informant got secret

information regarding committing crime. A raid was conducted

at about 1:00 P.M. in the night near half constructed one storey

building when he reached on the spot as he found some people

at the roof and when query was made to disclose their identity



but on return, firing was made upon police team and out of which two persons arrested and disclosed their names as Rahul Kumar and Rajan Mahto and they have disclosed the name of present petitioner who ran from the spot as per seizure list recovery of one country made loaded pistol with one live cartridges along with two mobile were recovered from both the co-accused Rahul Kumar and Rajan Mahto

Learned counsel for the petitioner has submitted that petitioner is in custody since 26.03.2021. He further submits that petitioner bears criminal antecedent of four cases. Nothing has been recovered from the conscious possession of the petitioner. The name of the present petitioner has been surfaced on the statement of co-accused against whom recovery has been made. Charge-sheet has already been submitted and there is no chance of tampering with the evidence.

The learned APP for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and the period of custody and materials available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



C.J.M., Vaishali, Hajipur, in connection with Hajipur Town P.S.

Case No. 162 of 2021, subject to following condition:

(i) The petitioner shall be released after framing of charge.

(ii) One of the surety shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(iii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned trial court itself.

(Alok Kumar Pandey, J)

Ranjeet/-

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