

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4258 of 2022

Arising Out of PS. Case No.-547 Year-2021 Thana- PATRAKARNAGAR District- Patna

Rajkumar @ Rajveer Singh @ Chhotu Son of Santosh Yadav @ Randhir
Singh R/O Chhotki Gosi, P.S.- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Adv.
For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 20-06-2022 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
A.P.P. for the State.

The petitioner seeks bail in connection with Patrakar
Nagar P.S. Case No. 547/2021 registered for the offences
punishable under Sections 353/504 the Indian Penal Code and
Section 37 (b) (c) of the Bihar Prohibition and Excise Act and
Sections 25(1-b)a/26/35 of the Arms Act.

As per prosecution case, it is alleged that there is one
country made pistol and one live cartridge of .315 bore has been
recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case due to mere suspicion. He further submits that there is no incriminating articles has been recovered from the possession of the petitioner and the co-accused has granted bail by co-ordinate Bench of this Court vide Cr. Misc. No.68158/2021. He further submits that the petitioner is in custody since 27.09.2021 and petitioner bears criminal antecedent of two cases. Charge sheet has already been submitted in the case and there is no likelihood of tampering the evidence.

The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody and taking into consideration the material 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 Special Judge Excise, Patna in connection with Patrakar Nagar P.S. Case No. 547/2021, subject to following conditions:-

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

(ii) 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.

(iii) 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.

(Alok Kumar Pandey, J)

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