

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12618 of 2022

Arising Out of PS. Case No.-423 Year-2021 Thana- MAIRWAN District- Siwan

RAKESH PARVAT @ RAKESH KUMAR, S/o Harendra Prabat R/o Village -
Babhnauli Mathiya, P.S.- Mairwa, District - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi

For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 13-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Mairwa
P.S. Case No. 423 of 2021, registered for the offences
punishable under Section 395 of the Indian Penal Code and
Section 27 of the Arms Act.

As per the allegation, petitioner along with other
co-accused committed dacotiy.

The learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
this case. He further submits that he was not named in the
F.I.R. nor any recovery has been made from his possession.



It is further stated that the petitioner has been arrested only on suspicion.

The petitioner is in custody since 24.12.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of Anticipatory Bail or Regular Bail.

It has further been stated that the petitioner has been made accused in a case earlier, namely, Mairwa P.S. Case No. 343 of 2020.

However, the learned APP for the State has opposed the prayer for bail.

Considering the fact and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VII, Siwan in connection with Mairwa P.S. Case No. 423 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.



(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.



The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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