

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12331 of 2022

Arising Out of PS. Case No.-46 Year-2021 Thana- KACCHWA District- Rohtas

RAJNISH KUMAR @ ANDA S/o Dhanjee Singh, R/o village- Sikariya, P.S.-
Karakat (Gorari), District- Rohtas Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Sriram Krishna. Advocate

For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 05-07-2022 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks regular bail in connection with Kachhawa P.S. Case No. 46 of 2021 lodged under Sections 399 and 402 of the Indian Penal Code and Section 25(1-aa), 25(1-b), 26,27 and 35 of Arms Act.

The allegation made in the F.I.R. is that upon secret information, a raid was conducted in which four persons were arrested and one pistol was recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that as per the ingredient of dacoity is not present in the allegations made in the FIR. He further submits that for the allegations of the Arms Act, he is in custody since about 11 months, charge sheet has already been filed in this case and the petitioner is a student having a bright carrier.

Learned A.P.P. opposes the prayer for bail.

In the present facts and circumstances that the charge sheet has already been submitted in this case and petitioner is in custody since 04.08.2021 having clean antecedent, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge, Rohtas at Sasaram in connection with Kachhawa P.S. Case No. 46 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Accordingly, the bail application stands disposed of.

(Dr. Anshuman, J)

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