

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18531 of 2022

Arising Out of PS. Case No.-140 Year-2021 Thana- BARURAJ District- Muzaffarpur

Rahul Kumar S/o Late Bharat Pandit R/o Village- Laxminiya, P.S.- Baruraj,
Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 07-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Baruraj P.S. Case No. 140 of 2021 lodged under Sections 399,
402 and 414 of the Indian Penal Code and Sections 25(1-B)A
and 26/35 of the Arms Act.

As per the prosecution case, 6 named persons were
made accused in this case including the petitioner.

Learned counsel for the petitioner submits that the
petitioner was alleged to be apprehended from the place of
occurrence and from the possession of the petitioner, one live
cartridge and one pistol have been recovered as well as one

Splendor Motorcycle was also with him. Learned counsel submits that the petitioner is in custody since 24.07.2021 and charge sheet has already been filed in this case. There are 3 criminal cases pending against the petitioner and he is on bail in all the cases. Learned counsel further submits that out of 6 named accused persons, 2 named accused have already been granted bail by the Co-ordinate Bench of this Court vide order dated 20.05.2022 and 26.08.2022 passed in Cr. Misc. No. 1184 of 2022 and Cr. Misc. No. 15439 of 2022 respectively.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Sri Mahendra Mishra, J.M. 1st Class, Muzaffarpur (West), in connection with Baruraj P.S. Case No. 140 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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