

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23257 of 2022

Arising Out of PS. Case No.-74 Year-2021 Thana- RAFIGANJ District- Aurangabad

Rohan Kumar Son of Sri Mahesh Yadav Resident of Village - Gerabari, P.s.-
Korha, Distt.- Katihar.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 28-07-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioners seeks regular bail in connection with
Rafiganj P.S. Case No. 74 of 2021 lodged under Sections 414,
467, 468, 471 and 34 of the Indian Penal Code.

The prosecution case in brief is that, the informant got
secret information that 2 criminals of Kodha gang are coming to
the Rafiganj with a plan to commit crime. On this information,
the informant alongwith police reached Hajipur Gola and began
to monitoring while barricading and on the basis of information,
petitioner came there by riding a motor-cycle and the petitioner
dropped the motorcycle and started running towards Kabristan

but they caught on the spot.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. only motorcycle is alleged to be recovered from his possession. Petitioner is in custody since 07.03.2021 and he has clean antecedent and also he is ready to fulfill all the conditions whatever may be imposed by the Court. Learned counsel for the petitioner further submits that similarly situated person namely Karan Kumar Yadav of this case has been granted bail by the Co-ordinate Bench of this Court vide order dated 16.05.2022 passed in Cr. Misc. No. 244 of 2022.

Learned counsel for the State opposes the prayer for bail.

Considering the facts and circumstances and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Rafiganj P.S. Case No. 74 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 resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation 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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