

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24672 of 2022

Arising Out of PS. Case No.-73 Year-2022 Thana- BIDUPUR District- Vaishali

Rupshree @ Rupraj, Son of Arun Kumar Arun, Resident of Village-
Bhairipur, P.S.- Bidupur, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Radha Mohan Singh, Advocate
		Mr. Sachin Kumar, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar. APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-08-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Radha Mohan Singh, learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail, who is in custody in connection with Bidupure P. S. Case No. 73 of 2022 registered for the offences punishable under Sections 399, 402, 414 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 Arms Act.

As per the prosecution case, it is alleged that on a secret information with regard to assemblage of miscreants, the police conducted a raid. However, noticing the police party, the



miscreants started fleeing away, however, out of them two persons including the petitioner were apprehended. On search, from the possession of apprehended co-accused one country made pistol, two live cartridges and a motorcycle was recovered, which is said to be stolen. It is further alleged that nothing has been recovered from the possession of this petitioner.

Learned counsel appearing on behalf of the petitioner submits that from the F.I.R. admittedly nothing has been recovered from the person or possession of this petitioner and he is a student of B.A. Part-I, having no criminal antecedent and he is in custody since 16.02.2022.

On the other hand, learned counsel for the State opposes the bail application and submits that the petitioner was apprehended at the spot.

Having regard to the submissions made on behalf of the parties and considering the fact that nothing has been recovered from the person or possession of this petitioner and he being the student of BA Part- I, having no criminal antecedent is in custody since 16.02.2022, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P. S. Case No. 73 of 2022, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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