

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54266 of 2021**

Arising Out of PS. Case No.-422 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

RAJESH KUMAR SON OF NARESH SINGH RESIDENT OF VILLAGE-  
WALIPUR, WARD NO. 24, POLICE STATION- PIPARIA, DISTRICT-  
LAKHISARAI. AT PRESENT MOHALLA- PANHAS, NEAR INDANE  
GAS AGENCY, WARD NO. 25, POLICE STATION- BEGUSARAI TOWN  
(LOHIYA NAGAR O.P.), DISTRICT- BEGUSARAI.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

**Appearance :**

|                    |   |                              |
|--------------------|---|------------------------------|
| For the Petitioner | : | Mr. Arun Kumar, Advocate.    |
| For the State      | : | Mr. Dilip Kumar No.1, A.P.P. |

**CORAM: HONOURABLE MR. JUSTICE A. M. BADAR**  
**ORAL ORDER**

4      14-02-2022              The applicant is given out of turn hearing on the ground  
of ailment of his father.

The State was given necessary time to verify this fact.

The applicant is an accused in Crime No.422 of 2021  
registered with Police Station-Begusarai Town (Lohiya Nagar  
O.P.) for the offences punishable under Sections 147, 148, 149,  
427 of the Indian Penal Code and Sections 25(1-B) a, 26(2), 27  
of the Arms Act.

Heard both sides.

It is not in dispute that the applicant is not having any  
criminal antecedents. Undisputedly, Charge-sheet has already  
been filed after completion of investigation.



It is case of the prosecution that police had received information that there was an instance of firing on 06.07.2021 in Ward No.28, Lohiya Nagar. When police reached on the spot it was found that the boundary wall of one of the houses under construction was being broken and on seeing the police, 2-3 persons tried to run away from the spot. Those were apprehended. The applicant is not one amongst them. Apprehended accused told that they are acting at the instance of Kundan Kumar. Hence house of Kundan Kumar came to be raided and a country made firearm with bullets and a knife came to be seized. The applicant was found to be sitting with said Kundan Kumar in the said house.

No specific allegations are made against the applicant. He was not apprehended from the spot. Nothing was recovered from him. He has clean antecedent. The investigation of the crime in question is over. Hence, I see no reason to refuse bail to the applicant. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.422 of 2021 registered with Police Station-Begusarai Town (Lohiya Nagar O.P.) for the offences punishable under Sections 147, 148, 149, 427 of the Indian Penal Code and Sections 25(1-B) a, 26(2), 27



of the Arms Act, be released on bail on executing P.R. bond of Rs.15000/-(Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

- (I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.
- (II). The applicant should cooperate the trial in expeditious disposal of the trial against him.
- (III). The applicant should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.
- (IV). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the



applicant/accused.

**(A. M. Badar, J)**

P.S./-

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