

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69572 of 2021

Arising Out of PS. Case No.-251 Year-2021 Thana- BARH District- Patna

Rajan Kumar @ Prakash Kumar Son of Jay Ram Pandit Resident of Village-
Bujruk Tola- Dihpar, Berhana, P.S.- Barh, District- Patna. Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-05-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in judicial custody in connection with Barh P.S. Case No. 251 of 2021 for the offence under sections 399, 402, 412 and 414 of the Indian Penal Code and section 25(1-B)A, 26 and 35 of the Arms Act.

As per the FIR, the police upon information of assembling of the accused to commit some crime, reached the place. Although two accused managed to escape, three of them were apprehended. It is alleged that the police has shown recovery/seizure from the accused Harsh Kumar @ Rohit Kumar. So far as the petitioner is concerned, the FIR does not show any recovery or seizure from him.

Learned counsel for the petitioner submits that he was passer-by and the police were chasing the accused persons and in the process he was also apprehended for which suffering



since 28.6.2021 (as stated in para-9 of the bail application).

Considering the aforesaid facts that nothing has been recovered/seized, he is in custody since 28.6.2021 and charge-sheet has been submitted, this Court is inclined to grant the privilege of bail to him but with certain conditions in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-1st, Barh, Patna, in connection with Barh P.S. Case No. 251 of 2021 subject to the following conditions:-

(i) one of the bailors should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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