

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21297 of 2023**

Arising Out of PS. Case No.-599 Year-2019 Thana- SHERGHATI District- Gaya

RAHUL KUMAR DAS SON OF SAHENDRA KUMAR DAS R/O
VILLAGE- DAFAMI, P.S.- HANTERGANJ, DISTRICT- CHATRA
(JHARKHAND)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant
of regular bail in connection with Sherghati (Dobhi) P.S. Case
No. 599 of 2019 dated 20.12.2019 registered for the offences
punishable u/s 399/402/414 of the Indian Penal Code and
Section (1-B)a/26/35 of Arms Act.

As per the prosecution case, the police arrested three
persons including the petitioner while making plan to commit
loot and on search a loaded pistol, 1 magazine and one live



cartridge were recovered from the petitioner and a foreign made pistol, mobile phones and other articles were recovered from the possession of the other co-accused.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The other co-accused persons have already been granted bail by the Coordinate Bench of this Court vide order dated 24.09.2020 passed in Cr. Misc. No. 24803 of 2020, vide order dated 04.12.2020 passed in Cr. Misc. No. 31923 of 2020, vide order dated 02.09.2021 passed in Cr. Misc. No. 20116 of 2021 and vide order dated 18.04.2022 passed in Cr. Misc. No. 64108 of 2021. The petitioner is accused in 11 more criminal cases as stated in para 3 of the bail petition. The petitioner is on bail in all the cases. The petitioner is in custody since 20.12.2019.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Sherghati at Gaya in connection with Sherghati (Dobhi) P.S. Case No. 599 of 2019 with the following conditions :

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

2. One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

U		T	
---	--	---	--

