

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28471 of 2023

Arising Out of PS. Case No.-55 Year-2021 Thana- HARLAKHI District- Madhubani

Prabhakar Kumar Singh @ Lalla Son Of Ram Kalewar Singh Village- Narar
Ps- Kaluahi Dist- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Udeshya Kumar Yadav, Adv.
	:	Mr. Ravi Prakash, Adv.
	:	Mr. Vivek Kumar, Adv.
For the Opposite Party/s	:	Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-06-2023 Let the defect(s), if any, be removed within two
weeks from today.

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

The petitioner seeks regular bail in connection with
Harlakhi P.S. Case No. 55 of 2021 registered on 27.02.2021
lodged under Sections 307/34 of the I.P.C. and Sections 25(1-B)
(a)/26/27/35 of the Arms Act

As per the prosecution case, F.I.R. has been lodged
against six unknown accused persons, who reached at the shop
of the informant and fired on him but anyhow informant saved
from the said fire. It has also been alleged that the accused
persons were wearing mask due to which, they could not be
identified.

Learned counsel for the petitioner submits that co-

accused persons have disclosed the name of the petitioner, and they have been remanded in the present case. Counsel for the petitioner submits that the co-accused have disclosed the name of different persons including the name of Ravindra Kumar Singh to whom bail has been granted vide order dated 22.12.2022 in Cr. Misc. No. 52339 of 2022.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 03.03.2021 having nine criminal cases pending against the petitioner and he is on bail in all the cases. Counsel submits that charge has already been framed in this case and trial have been concluded in this case.

Learned counsel for the petitioner submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to

the satisfaction of learned Additional District and Sessions Judge, IVth, Madhubani in connection with Harlakhi P.S. Case No. 55 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship 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.)

Ashishsingh/-

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