

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30222 of 2023

Arising Out of PS. Case No.-31 Year-2021 Thana- KHAJAULI 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 : Miss Kusum Rani, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-08-2023 Heard the parties.

The petitioner is in custody in connection with S.T. No. 289 of 2021 arising out of Khajauli P.S. Case No. 31 of 2021 for the offence under sections 399/402 of the Indian Penal Code and sections 25(1-b) A/26/35 of the Arms Act lodged on 02.03.2021 by the informant, Umesh Kumar Paswan.

As per the prosecution story, the Police upon information that the accused persons have assembled to commit ‘dacoity’, reached the place and apprehended them. Upon search, amongst others, from the petitioner a pistol and live cartridges were recovered. Accordingly, the F.I.R.

Learned counsel for the petitioner submits that he has already suffered by being in custody since 03.02.2021 (as stated in paragraph 13 of the petition).



Learned APP opposes the prayer for bail.

Considering the aforesaid period of custody as also that some of the accused persons have since been released as incorporated in Annexure-2 series, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Addl. District and Sessions Judge, IVth, Madhubani, in connection with S.T. No. 289 of 2021 arising out of Khajauli P.S. Case No. 31 of 2021 subject to the following conditions:

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

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month till the conclusion of trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) 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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