

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42910 of 2023

Arising Out of PS. Case No.-300 Year-2022 Thana- MOTIPUR District- Muzaffarpur

Rahul Kumar Son Of Pramod Sah Resident Of Village- Runnisaidpur
Shivnagar, Ps- Runisaidpur, District- Sitamarhi.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-07-2023 Let the defect(s), if any, be removed within two
weeks from today.

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

3. The petitioner seeks regular bail in connection with
Motipur P.S. Case No.300 of 2022 registered on 18.08.2022
lodged under Sections 399, 400, 401, 402 of the Indian Penal
Code and Sections 25 (1-b) a/26 of the Arms Act.

4. As per the prosecution case, F.I.R. has been lodged
against 6 named accused persons. Recovery of one *desi katta*
and 3 live cartridges have been recovered from the possession of
the petitioner.

5. Counsel for the petitioner submits that in the
present case similarly situated accused persons have been

granted bail by the Co-ordinate Bench of this Court vide order dated 03.04.2023, 27.04.2023 and 01.05.2023 in Cr. Misc. No.1427 of 2023, in Cr. Misc. No.2513 of 2023 and in Cr. Misc. No.3238 of 2023, respectively.

6. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 19.08.2022 having 3 criminal cases pending against him, in which he is on bail in all the 3 cases.

7. Learned counsel for the State opposes the prayer for bail.

8. 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 & Sessions Judge-20, Muzaffarpur in connection with Motipur P.S. Case No.300 of 2022, 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.

9. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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