

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40560 of 2023

Arising Out of PS. Case No.-303 Year-2022 Thana- MAHESHKHUNT District- Khagaria

Rupesh Yadav S/O Sunil Yadav R/O Village- Bhadlay, P.S- Maheshkhunt,
Distt.- Khagaria (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Lakshmi Kant Tiwary, Adv.
	:	Mr. Nitesh Kumar, Adv.
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-07-2023 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 Maheshkhunt P.S. Case No. 303 of 2022 registered on 18.12.2022 lodged under Sections 341, 307, 506/34 of the I.P.C.

4. As per the prosecution case, F.I.R. has been lodged against two named accused persons and other unknown accused persons. It has been alleged that the informant's brother was going to Maheshkhunt Market and when he reached near Adarsh Middle School, Maheshkhunt then three criminals, including Bihari Paswan and Rupesh Yadav (present petitioner) came on

motorcycle and fired upon the informant's brother, due to which he was injured.

5. Counsel for the petitioner submits that there is no specific allegation against the present petitioner.

6. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 11.03.2022 having one criminal case pending against him, in which he is on bail.

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 Addl. Sessions Judge-Vth, Khagaria in connection with Maheshkhunt P.S. Case No. 303 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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