

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50391 of 2022

Arising Out of PS. Case No.-284 Year-2022 Thana- BARH District- Patna

RAJEEV KUMAR Son of Late Shambhu Prasad R/V- Jamunichak, P.S- Barh,
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 50992 of 2022

Arising Out of PS. Case No.-284 Year-2022 Thana- BARH District- Patna

ABHISHEK KUMAR S/o Ashok Raut Resident of Village- Lakshmipur, P.S.-
Ghoshwari, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 50391 of 2022)

For the Petitioner/s : Mr.Kumar Manglam, Advocate

For the Opposite Party/s : Mrs.Anita Kumari, APP

(In CRIMINAL MISCELLANEOUS No. 50992 of 2022)

For the Petitioner/s : Mr.Gyanendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-03-2023 Learned counsel for the petitioners is permitted to
remove the defects, as pointed out by the office, if any, within a
period of four weeks from today.

Heard learned counsel for the petitioners and the
learned A.P.P. for the State in both the applications.

The petitioners seek bail in a case registered for the



offence under Sections 399,402,411,412 and 34 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of Arms Act.

The case relates to recovery of two live cartridges from each of the petitioners and two looted motorcycles.

Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case. He further submits that it appears from the FIR as well as seizure list that two live cartridges have been recovered from each of the petitioners and on the basis of the confessional statement of petitioner, namely, Rajeev Kumar, two looted motorcycles have also been recovered. He further submits that the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 16.05.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Barh P.S.Case No. 284 of 2022 with the following



conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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