

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52090 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- GORAU District- Vaishali

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DIPAK KUMAR Son of Dev Nath Sahani Resident of village - Imadpur
Raghunathpur, P.S. - Bhagwanpur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Prasad Sinha, Advocate

For the Opposite Party/s : Mr.Rajendra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Goraul P.S. Case No.31 of 2023 instituted under Sections 414/34 IPC & 25(1-b)a,26,35 of Arms Act lodged on 29.01.2023 by the informant Rajesh Kumar Singh.

As per the prosecution story, the police during the checking of the vehicle, intercepted a motorcycle and apprehended three accused persons. So far as this petitioner is concerned, it is alleged that one live cartridge was recovered from him. Accordingly, the FIR.

It is the case of the petitioner that the police have implicated the young boys, is in custody since 29.01.2023 (para-12 of the petition) and will abide by all the terms and conditions, if released on bail.

Learned APP opposes the prayer for bail.



Considering the fact that the petitioner is 20 years of age, has already suffered by being in custody since 29.01.2023 this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Goraul P.S. Case No.31 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his 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 fortnight for next six months to mark 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 the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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