

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53078 of 2023

Arising Out of PS. Case No.-123 Year-2023 Thana- VAISHALI District- Vaishali

RAHUL KUMAR SON OF LATE SHIV CHANDRA SAHNI RESIDENT
OF VILLAGE- RAGHUNATHPUR, PS- BHAGWANPUR, DIST-
VAISHALI AT HAJIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Vaishali (Belsar O.P.) P.S. Case No. 123 of 2023 for the offence punishable under Sections 399, 402, 414 of the Indian Penal Code and section 25(1-b)A/26/34 of the Arms Act lodged on 26.3.2023 by the informant, Vicky Kumar.

As per the prosecution story, the police upon information about some miscreants planning to commit crime, reached the place where the Magic vehicle was parked, apprehended the accused persons including the petitioner and found knife, iron rod and lock cutter etc. Accordingly, the FIR, arrest.

As per the petitioner, he was at the tea stall, no role to



play in the matter, but implicated with the Magic van for which he has already suffered by being in custody since 27.3.2023 (para-11 of the petition).

Learned APP opposes the prayer for bail.

Considering the submission put forward by the learned counsel for the petitioner, his period of custody, FIR lodged and ultimately will have to face the trial, 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) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Vaishali (Belsar O.P.) P.S. Case No. 123 of 2023 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 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 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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