

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55379 of 2022

Arising Out of PS. Case No.-367 Year-2021 Thana- SAHPUR District- Patna

RAKESH KUMAR @ KALLU SON OF LATE- BUDHAN RAI RESIDENT
OF VILLAGE- KOTHHIYAN, P.S. SHAHPUR, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

.. ... Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K. Agrawal, Sr. Adv. Mr. Arvind Kumar Mr. Kumar Rajdeep Mr. Shyam Kumar
For the Opposite Party/s	:	Mr.Pramod Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 13-03-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with Shahpur P.S. Case No. 367 of 2021, registered for the offences punishable under Sections 341, 342, 323, 307, 354, 385, 506, 509/34 of the Indian Penal Code.

There is allegation that co-accused Chhotu Kumar and the petitioner made a pressure upon the informant to withdraw earlier case. Chhotu Kumar started wrapping *duppatta* around throat of the informant and attempted to strangle her, whereas the petitioner threatened her at the point of revolver. As per allegation, these two accused persons were teasing the informant on earlier occasions.

The learned senior counsel for the petitioner has submitted that both the parties are co-villagers and the case of the present petitioner is exactly on the similar footing of co-



accused Chhotu kumar @ Sudhir Kumar, who has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 51889 of 2022. The petitioner is under custody since 21.12.2021.

Considering the above-mentioned facts and circumstances as well as parity, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI, Danapur, Patna in connection with Shahpur P.S. Case No. 367 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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