

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60753 of 2022**

Arising Out of PS. Case No.-503 Year-2022 Thana- GARKHA District- Saran

Rajoo Kumar Singh @ Raju Kumar Singh Son Of Vijay Kumar Singh R/O
Village- Rampur Birbhan, P.S.- Garkha, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 25-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 399, 402, 379, 411, 414 of the Indian Penal Code and Sections 25(1-b) a, 26, 35 of the Arms Act.

One *Scooty*, one country made pistol and two live cartridges have been recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that in fact the petitioner was apprehended at the spot and the allegation against the petitioner is false. He further submits that it appears from the F.I.R. as well



as seizure list that one *Scooty*, one country made and two live cartridges have been recovered from the possession of the petitioner. He further submits that in fact nothing has been recovered from the possession of the petitioner rather the police has planted the same and shown that recovery has been made from the possession of the petitioner. He further submits that similarly situated co-accused Birju Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 16.12.2022 in Cr. Misc. No. 52166 of 2022 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 31.07.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Garkha P.S. Case No. 503 of 2022, with the following conditions :-

(1) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. 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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