

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67175 of 2023

Arising Out of PS. Case No.-471 Year-2023 Thana- PATNA GRP CASE District- Patna

Raushan Kumar, Son of Vinod Kumar R/o Mohalla - Mathnital, ward no. 69,
Post - Begampur, P.S. - Malsalami, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Patna Junction (Rajendra Nagar) P.S. Case No. 471 of 2023,
lodged on 09.06.2023 under Sections 414 & 34 of the Indian
Penal Code.

3. As per the prosecution case, the FIR has been
lodged against 7 named accused persons including the present
petitioner.

4. Learned counsel for the petitioner submits that the
name of the petitioner has figured in this case by virtue of
confessional statement of co-accused Md. Nadim on whose
disclosure, the other persons were arrested from a guest house.
He submits that it has come in the FIR that from the petitioner's



possession 6 mobile phones have been recovered. He further submits that the petitioner is innocent and has committed no offence and the petitioner has not been apprehended rather his name has come by virtue of disclosure made by co-accused Md. Nadim.

5. Learned counsel for the petitioner also submits that the antecedent of the petitioner is clean and he is in custody since 10.06.2023. He further submits that similar situated co-accused whose name has been disclosed by Md. Nadim has also been granted bail by a co-ordinate Bench of this Court vide order dated 12.10.2023 passed in Criminal Miscellaneous No. 64790 of 2023. He further submits that the offence is registered under section 414/34 of the Indian Penal Code.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Rail Judicial Magistrate, Patna in connection with Patna Junction (Rajendra Nagar) P.S. Case No. 471 of 2023, subject to the conditions as laid down



U/s 437(3) Cr.P.C. as well as 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

(Dr. Anshuman, J.)

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