

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1714 of 2022

Arising Out of PS. Case No.-123 Year-2019 Thana- VISHNUPAD District- Gaya

RAJESH BASKHOR @ RAJESH RAM S/o Late Yamuna Baskhor Resident
of Village- Bakshu Bigha, P.S.- Vishnupad, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-01-2023 Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act to which section 414 of the Indian Penal Code was added subsequently.

As per the prosecution case, it is stated by the informant that five persons on two motorcycles, on being signaled to stop by the police personnel made an attempt to escape and on being chased resorted to firing on the police personnel. In the occurrence one police personnel sustained gun shot injury and subsequently succumbed to his injury.

It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 28.4.2021 passed in Cr. Misc. No.1109 of 2020. The F.I.R was registered against unknown. No material has



transpired in course of investigation to connect the petitioner with the alleged crime. The petitioner is in custody since 14.7.2019 and there is no chance of the trial concluding in the near future. He undertakes to cooperate in the trial.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of material that has transpired in course of investigation, charge having been framed in the learned trial Court and the petitioner having remained in custody for more than 3 years 5 months since 14.7.2019, the Court directs the petitioner to be enlarged on bail in connection with S.Tr. No.122 of 2021 (DJ) (arising out of Vishnupad P.S. Case no.123 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-X, Gaya on the following conditions:

1. One of the bailors of the petitioner shall be a close relative of the petitioner.
2. The petitioner shall remain physically present in Court on each date of the trial and shall cooperate in the trial.

(Partha Sarthy, J)

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