

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64636 of 2022

Arising Out of PS. Case No.-123 Year-2022 Thana- PURAINI District- Madhepura

RAHUL KUMAR @ RAHUL SAHNI Son of Wakil Sahani R/v- Puraini
Bazar, Ward No. 9, P.S.- Puraini, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar 1, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-03-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered u/s 394 and 302 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, three miscreants looted the *galla* of money from the shop of the informant and started fleeing away. In that course, the informant's brother Amit Kumar Shararf and his staff caught hold of one miscreant but another miscreant fired on the chest and head of the informant's



brother Amit Kumar Shararf and also fired on the right hand of Sushil Yadav causing injuries to them.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No T.I. Parade has been conducted by the prosecution. The petitioner is not named in the FIR. The name of the petitioner has surfaced during the course of the investigation in the self-confessional statement of the petitioner. There is general and omnibus allegation against the petitioner. The petitioner is also accused in three other criminal cases which are not related to heinous nature of offence like murder as stated in para 3 of the bail petition. The petitioner is in custody since 18.06.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Udakishunganj (Madhepura) in connection with Puraini P.S. Case No. 123 of 2022, with the condition:-

1. The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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