

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66467 of 2022

Arising Out of PS. Case No.-155 Year-2022 Thana- SURYAGARHA District- Lakhisarai

RAHUL KUMAR Son of Bilash Mahto @ Ram Vilas Mahto Resident of
Village- Ram Nagar, P.O. and P.S.- Surajgarha, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-02-2023 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

The petitioner apprehends his arrest in connection
with Surajgarha P.S. Case 155 of 2022 for the offence
registered under Sections 25 (1-b) a, 35 and 37 of the Arms Act.

As per the prosecution story, the police came to know
that three persons armed variously were resorting to '*marpit*' and
out of the said three, one person was apprehended by the local
villagers while two managed to escape, the villagers
apprehended one Suraj Kumar from whom country made
revolver amongst other was recovered. Further, one Sintu
Kumar produced a motorcycle bearing Registration No. W.B. 40
AQ 6725 and later the name of the petitioner came and



accordingly, he apprehends his arrest.

Considering the kind of allegation that has come against the petitioner as also the fact that it was Suraj Kumar who was apprehended with the country-made revolver and he do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail with conditions.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Chief Judicial Magistrate, Lakhisarai in connection with Surajgarha P.S. Case NO. 155 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C with further conditions:-

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her 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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark attendance;

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

(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.

(Rajiv Roy, J)

Jagdish/Neha/-

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