

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70934 of 2023

Arising Out of PS. Case No.-108 Year-2023 Thana- BARHIYA District- Lakhisarai

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RAGHVENDRA SINGH SON OF SHAMBHU SINGH R/O VILLAGE-
GARH LAXMIPUR, P.S.- BARHIYA, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Raju, Adv

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Barhiya P.S. Case No. 108 of 2023 registered on 13.05.2023 lodged under Sections 102(B)/201/337/34 of the I.P.C. and under Section 25(1-B)a/26/35/27 of Arms Act.

3. As per the prosecution case, F.I.R. has been lodged against four named accused person including the present petitioner. From the house of one Savitri Devi, one country made pistol, one live cartridges and two empty cartridges has been recovered.

4. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that in the F.I.R., the name of petitioner has been figured by the virtue of one apprehended accused person. Counsel further submits that



nothing incriminating has been recovered from the possession of the petitioner. He further submits that the name of the petitioner has been instituted in this case only due to the reason that there are five criminal cases pending against him.

5. Counsel for the petitioner further submits that he is in custody since 14.05.2023 having five criminal case pending against him, in which he is on bail. He also submits that there is no material in the present petitioner in the present case except confession.

6. Learned counsel for the State opposes the prayer for bail.

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 Chief Judicial Magistrate, Lakhisarai in connection with Barhiya P.S. Case No. 108 of 2023 subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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