

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70077 of 2022

Arising Out of PS. Case No.-502 Year-2022 Thana- NAGAR District- Vaishali

RAKESH KUMAR SON OF LATE BALMIKI SINGH, R/O VILL.-
RAHIMAPUR, P.S.- BIDUPUR, DISTT.- VAISHALI. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.Jitendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 20-03-2023 Heard the learned counsel for the petitioner as well as the
learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with
Hajipur Town P.S. Case No. 502 of 2022 registered for offence
punishable under sections 414, 413/34 of the Indian Penal Code and
sections 25(1-b)a, 26, 35 of the Arms Act.

As per allegation, one country-made pistol was recovered
from the possession of the petitioner.

The learned counsel for the petitioner has submitted that
the cases, mentioned in paragraph 3 of the bail petition, are not of the
similar nature, but those have been registered under the Bihar
Prohibition and Excise Act. The petitioner is under custody since
05.07.2022.

Considering the above-mentioned facts and circumstances
as well as the period of custody, let the petitioner above-named be
released on bail on furnishing bail bonds of Rs.10,000/- (ten



thousand rupees) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 502 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(iii) After commencement of the trial, the petitioner shall remain present physically on each and every date fixed at the trial, and if he fails to appear without assigning any reason or unavoidable circumstances on two consecutive dates, the learned court below shall be at liberty to cancel his bail bonds.

(Nawneet Kumar Pandey, J)

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