

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76528 of 2023

Arising Out of PS. Case No.-152 Year-2023 Thana- RAJAPAKAR District- Vaishali

Shrawan Kumar Son orb1, f Wakil Rai @ Wakil Prasad Singh Village -Barua
Bahura Ps- Rajapakar (Baranti Op) , District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Rajapakar (Baranti-O.P.) P.S. case No. 152 of 2023 instituted for
the offences under Sections 399, 402, 413, 414 of the Indian
Penal Code and 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution allegation, in short, is that police got
secret information that few miscreants are planning to loot
C.S.P. in Baranti. Thereafter, police conducted raid. On seeing
the police party, 3-3 persons boarded on two motorcycles tried
to flee away but one motorcycle was stopped and three persons
were apprehended. The apprehended persons disclosed the name
of the petitioner.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.08.2023 and has no criminal antecedent. The petitioner has falsely been implicated in the present case and nothing incriminating has been recovered from the conscious possession of the petitioner. The name of the petitioner came into light only on the basis of confessional statement of co-accused Gaurav Kumar who was apprehended on the spot. He further submitted that the accused person who was apprehended on the spot has already been granted bail by the co-ordinate Bench of this Court vide order dated 04.08.2023 passed in Cr. Misc. No. 47728 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajapakar (Baranti-O.P.) P.S. case No. 152 of 2023, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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