

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74807 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- KIUL RAIL P.S. District- Lakhisarai

Gokul Kumar Son Of Rakesh Kumar @ Rakesh Singh Resident Of Village -
Babhangama, P.S. - Lakhisarai (Amahra O.P.), District - Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Rail Kiul P.S. Case No.15 of 2023, giving rise to Sessions Trial
No.268 of 2023, lodged on 08.02.2023, under Section 395 of
the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
unknown accused persons against whom the allegation of
dacoity in the train is there in the FIR.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that nothing incriminating has been recovered from the
possession of the petitioner nor he was put on Test Identification
Parade. The petitioner is in custody since 15.03.2023 and is



accused in two more criminal cases, in which he is on bail. Counsel further submits that none of the cases is of dacoity; rather one is due to family dispute and another is under the Arms Act.

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

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Lakhisarai, in connection with Sessions Trial No.268 of 2023, arising out of Rail Kiul P.S. Case No.15 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(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.

(Dr. Anshuman, J)

Mkr./-

U		T	
---	--	---	--

