

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75398 of 2023

Arising Out of PS. Case No.-282 Year-2022 Thana- RAJAOLI District- Nawada

Arvind Kumar, aged about 27 years (Male), S/O- Balchand Prasad, Resident
of Village- Bariyatand, P.S- Sirdalla Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Nirmala Kumari, APP (Incharge)

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Rajauli P.S. Case No. 282 of 2022 instituted for the offences
punishable under Sections 147, 148, 149, 341, 326 and 307 of
the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the informant alleged that
on 17.06.2022, while his father proceeded towards Rajauli on
his motorcycle, in the meantime, seven named accused persons
started indiscriminate firing upon the informant, on account of
which, he sustained various gun shot injuries.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further



submits that the informant is not an eye witness of the alleged occurrence and similarly situated co-accused, persons have already been granted regular bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 53697 of 2022 vide order dated 16.02.2023 and petitioner is in judicial custody since 11.09.2022 as stated in para-7 of the petition.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and period of the custody of the petitioner as well as the fact that similarly situated co-accused persons have already been granted regular bail by a Co-ordinate Bench of this Court, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Rajauli P.S. Case No. 282 of 2022 with following conditions:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or



intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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