

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75019 of 2022

Arising Out of PS. Case No.-301 Year-2022 Thana- RAJPUR District- Buxar

RAJESH KUMAR SINGH @ RAJESH KUMAR YADAV S/O RAM
BADAN SINGH YADAV Resident of village- Orwar, P.S.- Rajpur, District-
Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma
For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2023 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Rajpur P.S. Case No. 301 of 2022 registered for the offence punishable under Section 25(9) of the Arms Amendment Act, 2019.

The case of the prosecution, in brief, is that a video had become viral showing the petitioner, who happens to be husband of Mukhiya of Akbarpur Panchayat, to be firing in the air from a rifle and a pistol.

The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is submitted that though the petitioner is an accused in two other cases, but he is on bail in both of the said



cases, however, it is submitted that the petitioner is ready and willing to abide by such conditions as may be deemed fit and proper to be imposed by this Court for the purposes of grant of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, considering the materials available on record and taking into account the fact that merely on the basis of a viral video, the petitioner has been made accused in the present case, though I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail, however, subject to certain conditions.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Rajpur P.S. Case No. 301 of 2022, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

It is further directed that the petitioner would mark his attendance before the Officer-in-Charge of the concerned police station on each Monday of the week at 10:30 am. and in the event of two consecutive defaults, the present privilege of anticipatory bail, being granted to the petitioner herein, shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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