

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81585 of 2023

Arising Out of PS. Case No.-306 Year-2023 Thana- RAJAON District- Banka

SOURAV KUMAR Son of Prakash Yadav Resident of village - Garbhu Kitta,
P.S.- Rajoun, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Malendu, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Rajaon P.S. Case No. 306 of 2023, lodged on 23.06.2023 under
Sections 25(1-b)A, 26 and 35 of the Arms Act, 1959.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner was rejected *vide* order dated
19.10.2023 passed in Cr. Misc. No. 68676 of 2023. Counsel also
submits that at the time of rejection of the bail application of the
petitioner, liberty was granted to him that he may renew his
prayer for bail after framing of charge. Counsel further submits
that charge has already been framed in this case on 12.10.2023
(annexed as Annexure-P/3).

4. Learned counsel for the petitioner submits that the



petitioner is in custody since 24.06.2023.

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

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Rajaon P.S. Case No. 306 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the 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.)

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