

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16054 of 2024

Arising Out of PS. Case No.-135 Year-2023 Thana- RAJGIR District- Nalanda

Prahalad Kumar Son of Niraj Kumar @ Niraj Singh R/o Village- Sabalpur,
P.S.- Rajgir, District- Nalanda, Pin Code- 803116

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rohit Mishra, Adv.

For the Opposite Party/s : Mr.Jagdhara Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Rajgir P.S. Case No. 135 of 2023 dated 09.03.2023 registered for the offence/s punishable u/ss 147, 148, 149, 341, 323, 324, 386, 307, 379 and 504 of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have come to the shop of the informant and started demanding *Rangdari*. When the informant and his brother protested, they took out Rs. 12000/- from the *Galla* and they started abusing and assaulting them. When one Rakesh Kumar protested, all the accused persons assaulted him



and the petitioner assaulted on his head with the butt of the pistol causing injury and he also fired on the informant which did not hit the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is case and counter case between the parties. No incriminating material has been recovered from the conscious possession of the petitioner. The allegation against the petitioner is of firing but one one sustained fire arm injury. The petitioner has 11 criminal antecedents as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Rajgir, Nalanda in connection with Rajgir P.S. Case No. 135 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition/s:-



(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

(ii). If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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

