

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45564 of 2024

Arising Out of PS. Case No.-140 Year-2023 Thana- SANDESH District- Bhojpur

Rahul Kumar S/O Pappu Singh @ Kameshwar Prasad Singh R/O Mohalla-
Mirganj, Ward no. 6, P.S.-Ara, Distt-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

Mr. Arvind Kumar, Adv.

Mr. Kumar Rajdeep, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-09-2024 Heard learned Senior counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 302 of the Indian Penal
Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner,
during Tilak ceremony, fired by means of pistol, which hit the
elder brother of the informant.

4. Learned Senior counsel for the petitioner
submits that no such occurrence as alleged ever took place. He
is quite innocent and has been falsely implicated in this case.
The allegation levelled against the petitioner is not specific
rather general and omnibus in nature. He submits that from



perusal of the F.I.R., it is apparent that the informant was neither present at the place of occurrence nor seen this occurrence. The petitioner has no criminal antecedent and has been languishing in custody since 07.05.2024.

5. Learned APP for the State opposed the bail petition.

6. Considering the facts aforesaid and the custody of the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sandesh P.S. Case No. 140 of 2023 subject to the following conditions:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(iii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his



bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(v) The petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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