

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54734 of 2024

Arising Out of PS. Case No.-25 Year-2020 Thana- KISHANPUR District- Supaul

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Rahul Kumar @ Rahul Yadav @ Rahul Kumar Yadav Son Of Subhash Yadav
R/V- Nawa Bhakhar, P.S.- Kishanpur, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Amrit Abhijat, Advocate
		Mr. Snehil Kumar, Advocate
For the State	:	Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

3 23-08-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks bail in connection with S.T.
No. 555 of 2022 arising out of Kishanpur P.S. Case No.25 of
2020, dated 10.02.2020 registered for the offences punishable
under Sections 147, 148, 149, 341, 342, 323, 307, 504, 506 of
the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case as emerges from the FIR is
that when the informant along with his daughter went to market



for making purchase, the accused persons including the Petitioner came there and started firing. During the course of attack, this petitioner fired at the daughter of the informant which hit her right arm, due to which she sustained firearm injury.

4. Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner was not sent up by police, finding him innocent. However, for taking cognizance, Ld. Magistrate directed issuance of summons against the Petitioner. He further submits that the similarly situated co-accused person Phulchand Yadav has been granted bail by this Court vide order dated 17.02.2023 passed in Cr. Misc. No. 62637 of 2022.

5. He further submits that the petitioner has been languishing in jail since 03.07.2022

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in one other case.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

8. Considering the aforesaid facts and circumstances,



this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Additional Sessions Judge-II, Supaul, in connection with S.T. No. 555 of 2022 arising out of Kishanpur P.S. Case No.25 of 2020, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his



knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

Ravishankar/
Chandan-

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