

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72829 of 2024

Arising Out of PS. Case No.-206 Year-2024 Thana- RAJPUR District- Buxar

1. Rajnish Kumar @ Rajnish Kumar Singh son of Late Lalan Singh Village- Atrauna, Ps- Itarhi, Dist- Buxar
2. Rakesh Kumar @ Tulasi Son of Baban Sah Village- Pithari, Ps- Rajpur, Dist- Buxar
3. Abhishek Kumar Son of Sanjit Kumar @ Sanjit Singh village- Bihta, Ps- Bihta, Dist- Patna
4. Bipin Rai son of Late Sundari Prasad Rai @ Late sundari prasad @ Late Surendra pd. Rai village- Nensar, Ps- Goura Badshahpur, Dist- Jaunpur UP
5. Bhuwali Yadav @ Bhuwali Singh son of Late Baidyanath Yadav @Late Baijnath Yadav village- sonpa, Ps- Rajpur, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Adv.
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 17-10-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners are languishing in custody in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 308(5), 49, 352, 351(1), 351(3) of the Bhartiya Nyay Sanhita 2023 and under Section 27 of the Arms Act.

3. As per the prosecution story, the petitioners along with his father and eight named accused persons along with 8-



10 unknown persons armed with various weapons came at the land of the informant. Allegation against the petitioners is of instigating others to kill the informant.

4. Learned counsel for the petitioners submits that as per the F.I.R., there is no allegation of causing any injury to anyone. Moreover, one of the co-accused Anubandh Kumar Rai has been granted bail by a co-ordinate Bench of this Court. The petitioners are in custody since 03.08.2024 except petitioner no. 5 Bhuwali Yadav @ Bhuwali Singh who is in custody since 18.08.2024.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and the period of custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate in connection with Rajpur P.S. Case No. 266 of 2024 subject to following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner.

(ii) the petitioners 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 bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(S. B. Pd. Singh, J)

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