

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83698 of 2024

Arising Out of PS. Case No.-222 Year-2024 Thana- NAWADA MUFFASIL District- Nawada

Raushan Kumar @ Chirkut Son of Sudheer Kumar village-Gonawan, Ps-
Nagar Nawada, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-12-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Mufassil P.S. Nawada Case No. 222 of 2024 for the offence punishable under Sections 25(1-B) (a), 26 and 35 of Arms Act lodged on 07.07.2024 by the informant, Vijay Kumar.

3. As per the prosecution story, the informant alleged that in connection with Muffasil P.S. Case No. 215 of 2024 and on the confessional statement that the weapons used in the murder has been provided by the accused, number of other accused were apprehended whereafter, it was reveal that the weapons are provided by this petitioner. This led to his arrest.

4. Learned counsel for the petitioner submits that only on the confessional statement, he has been implicated though he has criminal antecedent. The further submission is that if



granted bail, for three months he will leave the district and will provide all the details of the place alongwith the police station to the learned Court at the time of execution of bail bond.

5. Learned APP opposes the prayer submitting that he used to supply the weapon which has been used in the criminal activities of the other accused persons.

6. Taking into account the aforesaid submission put forward by the parties as also the fact that the petitioner's name has come in the confessional statement, he is in custody since 07.07.2024, has himself undertaken to leave the district for three months and will be diligently appearing in trial, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-I, Nawada, in connection with Mufassil P.S. Nawada Case No. 222 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the police station of his place of stay every fortnight for next three months to mark his attendance and after return to the concerned police station shall put his attendance in Nawada Muffasil P.S. for next months;

(iv) the petitioner 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;

(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 his bail bonds.

(Rajiv Roy, J)

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