

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86011 of 2023

Arising Out of PS. Case No.-296 Year-2021 Thana- MAHUA District- Vaishali

Rupesh Kumar S/O Ram Sagar Rai R/O Village- Tara Singhara, P.S- Mahua,
Distt.- Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 26-04-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under sections 147, 148, 149, 341, 448,
323, 324, 307, 354(B), 380, 427, 302 and 504 of the Indian
Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner has been falsely implicated in the instant case by
the informant. It is further submitted that the allegation of
assaulting the deceased by knife is against Umesh Rai, Satish
Kumar, Nitish Kumar and Atish Kumar and as far as this
petitioner is concerned he is alleged to have sat on the chest of
the deceased. It is further submitted that there is no specific
allegation of assaulting the deceased by knife against the



petitioner and Ramsagar Rai and Upendra Rai have been granted the privilege of regular bail by a learned co-ordinate Bench by an order dated 29.08.2023 in Cr. Misc. No.54940/2023 (Ramsagar Rai Vs. State of Bihar) and 16.05.2023 in Cr. Misc. No.15134/2023 (Upendra Rai Vs. State of Bihar). It is further submitted that charges against the petitioner have been framed and the petitioner is in custody since 22.09.2023. It is further submitted that the petitioner will not abscond rather will co-operate in the trial.

4. The learned APP opposes the prayer for regular bail application of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahua P.S. Case No.296/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. Further, one of the bailor of the petitioner shall be his wife namely Neha Kumari.

7. However, if the learned trial court comes to a



conclusion that petitioner after being released on bail is trying to delay the trial in any manner, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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