

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85733 of 2023

Arising Out of PS. Case No.-220 Year-2023 Thana- KARAKAT District- Rohtas

=====

LAV KUMAR SINGH @ VISHAL KUMAR S/O SHASHIKANT SINGH @
SRIKANT SINGH R/O VILLAGE- SAKARIYA @ SIKARIA, P.S-
KARAKAT, DISTT.- ROHTAS.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Raghwendra Singh

For the Opposite Party/s : Mr.Parmanand Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Karakat P.S. Case No. 220 of 2023 registered for the offences
punishable under sections 414, 34 of the IPC and sections 25(1-
b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, petitioner is said to
have apprehended on the spot alongwith other and from
possession of the petitioner, one country made revolver, two
mobile phones and one Hero Honda Passion motorcycle in
question were recovered.

4. Learned counsel for the petitioner submits that
petitioner is in custody since 23.07.2023 and bears criminal



antecedent of three cases. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Basically, petitioner is not apprehended on spot from where the seized motorcycle was recovered. During the course of search, petitioner was returning to his home and he was apprehended by the police and on the basis of suspicion, he has been made accused in the present case. Except suspicion, there is nothing on record to demonstrate the complicity of petitioner with the alleged occurrence. Seizure list has not been prepared as per law. He further submits that petitioner is quite innocent and has committed no offence as alleged in the FIR.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned A.C.J.M. 1st, Bikramganj, Rohtas in connection with Karakat P.S. Case No. 220 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) If the petitioner is found involved in similar nature of offences in future, the learned trial court shall be at liberty to cancel his bail bond.

(Alok Kumar Pandey, J)

vashudha/-

U		T	
---	--	---	--

