

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1973 of 2024

Arising Out of PS. Case No.-346 Year-2023 Thana- WAJIRGANJ District- Gaya

Rahul Kumar Son of Sarjun Yadav R/o vill - Sabalchak, P.S. - Tankuppa, Dist.
- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Nandan Kumar Tiwary, Adv.

For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Wazirganj P.S. Case No. 346 of 2023 lodged under Sections
341, 323, 324, 326, 307, 504 and 34 of the I.P.C. read with
Section 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against five named and two unknown accused persons
against whom there is allegation made in the F.I.R. that they
have fired on the victim and also try to cut his neck.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the accused persons including the petitioner and informant
all are resident of same village and they are well-known to each



other. He submits that due to village politics, his name has been inserted in this case. He further submits that after F.I.R., investigation has been completed, charge-sheet filed, cognizance has also been taken, charge has already been framed and trial has commenced.

5. Counsel submits that petitioner's antecedent is clean and he is in custody since 21.08.2023 and no purpose shall be solved by keeping the petitioner in custody.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.- X, Gaya in connection with Wazirganj P.S. Case No. 346 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

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

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

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

(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 the bail bonds.

(Dr. Anshuman, J.)

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