

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1339 of 2024

Arising Out of PS. Case No.-140 Year-2021 Thana- BARURAJ District- Muzaffarpur

RAHUL SINGH @ TIWARY S/O SHYAMA SINGH R/O VILLAGE-
LAXMINIYA, P.S- BARURAJ, DISTT.- MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.614 of 2022, arising out of Baruraj P.S Case no.140 of 2021 registered under sections 399, 402 and 414 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, on information having been received that the accused persons have gathered and were planning to give effect to an occurrence, the informant states that a raid was conducted. While some of the accused managed to escape, others were arrested. On search a loaded country made pistol and a live cartridge was recovered from the accused arrested. It is further stated that they disclosed the name of the accused persons who had managed to escape which included the



petitioner herein.

4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. He has been falsely implicated in the case because of his antecedents. He is in custody since 8.7.2022 and undertakes to cooperate in the trial.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR, his not having been arrested at the spot and having remained in custody for more than 1 year 6 months since 8.7.2022, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no.614 of 2022, arising out of Baruraj P.S Case no.140 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-XX, Muzaffarpur on the following conditions:-

(I) It is directed that the petitioner shall remain physically present in Court on each date of the trial and shall cooperate in the trial.



(II) In case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner or he was absent on any date for reasons not to the satisfaction of the learned trial Court, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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