

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7518 of 2024

Arising Out of PS. Case No.-148 Year-2021 Thana- BUNIYAD GANJ District- Gaya

Raja Kumar Rahul @ Raja Rawani @ Rahul Kumar @ Haddi SON OF
Deepak Prasad PIPALGALI RAMDHANPUR, PS-KOTWALI, GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Adv.

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 09-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Buniyadganj P.S. Case No.148 of 2021 lodged under Sections
307 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 unknown accused persons against whom there is
allegation that they have made indiscriminate firing upon the
informant and upon chase, they fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that there is absolutely no material come against the petitioner.

5. Counsel further submits that petitioner's name has
come in this case at the instance of police, only due to the



reason that there are 5 criminal cases pending against him in which he is in acquittal in one case and in rest cases, he is on bail. He submits that petitioner is in custody since 01.02.2023.

6. Counsel further submits that in the rejection order, there is reference of paragraph- 36 of the supplementary case diary in which there are five criminal antecedents of the petitioners.

7. Learned counsel for the State opposes the prayer for bail and submits that at the time of consideration of bail, antecedent of the petitioner may be taken into consideration.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned trial court, Additional Sessions Judge-II, Gaya in connection with Buniyadganj P.S. Case No.148 of 2021, 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 with

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.

9. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

- i. Kotwali P.S. Case No.430 of 2015.
- ii. Kotwali P.S. Case No.409 of 2021.
- iii. Kotwali P.S. Case No.380 of 2017.
- iv. Delha P.S. Case no.03 of 2018.
- v. Gaya Rail P.S. Case No.390 of 2022.

(Dr. Anshuman, J.)

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