

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6572 of 2025

Arising Out of PS. Case No.-322 Year-2021 Thana- RAJAPAKAR District- Vaishali

Raushan Singh @ Chhota Mohabiya S/o Binod singh @ Mohabiya Resident
of village- Teliya, P.S.- Rajapakar, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 11-07-2025 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and Mr. Ashok Kumar Singh, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
24.09.2024 in connection with Rajpakar P.S. Case No. 322 of
2021, F.I.R. dated 21.11.2021 registered for the offence
punishable under Sections 147, 148, 149, 342, 341, 324, 307 of
IPC and Section 27 of the Arms Act.

3. The prosecution case in nutshell is that when the
informant was going somewhere then the petitioner along with
other co-accused persons were sitting at the door, they opened
firing upon the informant, as a result of which he sustained
injuries.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he is in custody since
24.09.2024. The allegation as alleged in the F.I.R. is false and
fabricated and the petitioner has not committed any offence as



alleged in the FIR. Further submits that although the informant has received injury, but the injury report of the injured person (informant) suggests that he has received only one injury. Further submits that three persons have fired upon the informant, but he has received only one injury, which suggests that whose firing has intercepted is not clear from the injury report. Apart from that, co-accused person, namely, Santosh Kumar, has been granted privilege of regular bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 04.01.2023 passed in Cr. Misc. No.39891 of 2022 and co-accused person, namely, Rishav Singh @ Mutukiya, has been granted privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 15.12.2022 passed in Cr. Misc. No.49041 of 2022.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the report of the Trial Court reveals that the case has been committed to the Court of learned Sessions Judge, Vaishali on 02.07.2025 itself.

6. Considering the aforesaid fact, petitioner has clean antecedent as well as the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate, Vaishali in connection with Rajapakar P.S. Case No. 322 of 2021,with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

anand/-

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