

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24418 of 2025

Arising Out of PS. Case No.-71 Year-2024 Thana- BARAUNI District- Begusarai

Rahul Kumar @ Chand, S/o Late Kamdev Singh, R/o Village- Bari
Kadirchak, P.S.- Phulwariya @ Barauni Garhara, District- Begusarai
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Abhishek Anand, Advocate
Ms. Madhuri Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Barauni
P.S. Case No. 71 of 2024 dated 21.02.2024, instituted for the
offence punishable under Sections 307/34 of the Indian Penal
Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on the alleged
date of occurrence, the informant was returning his home from the
house of his relatives. When he arrived at the house of co-accused
Nilesh Kumar, the petitioner and other 2-3 unknown persons were
sitting. In the meantime, police came there. On seeing police,
Nilesh Kumar fired upon them, but the bullet hit the chest of the
informant.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that there is specific allegation against co-accused Nilesh Kumar who fired upon the informant. There is no allegation of assault against the petitioner. Petitioner was only the member of the mob. Lastly, it has been submitted that the petitioner is in custody since 26.10.2024 having six criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Begusarai in connection with Barauni P.S. Case No. 71 of 2024, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation,



preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. 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.

V. The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Khatim Reza, J)

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