

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33992 of 2021**

Arising Out of PS. Case No.-100 Year-2020 Thana- DEEPNAGAR District- Nalanda

RAUSHAN KUMAR S/O ARUN YADAV R/o village- Golapar, P.S.-
Deepnagar, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 30-11-2021 Let the defect(s), if any, as pointed out by the Office,

be removed within four weeks of start of normal functioning of

the physical Court.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with
Deepnagar P.S. Case No.100 of 2020 registered for the offence
under Sections 341, 323, 448, 307, 385, 504 and 506/34 of the
IPC and Section 27 of the Arms Act.

As per prosecution case, all the accused persons
having resorted to firing and assault upon the informant of this
case, resulting in the informant receiving firearm injury.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that there is general and omnibus allegation against the petitioner. Petitioner is in custody since 09.02.2021. He further submits that similarly situated co-accused Pankaj Kumar has been granted anticipatory bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 40928 of 2020 vide order dated 22.11.2021.

However, learned APP for the State vehemently opposed the prayer for regular bail.

In the facts and circumstances of the case, the above named petitioner is directed to 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 CJM, Nalanda at Biharsharif in connection with Deepnagar P.S. Case no. 100 of 2020 with 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) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(iv) 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)

brajesh kumar/-

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