

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50428 of 2015

Arising Out of PS.Case No. -145 Year- 2015 Thana -KHAZANIHAT District- PURNIA

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Anubhav Singh @ Annu @ Anubhav Akash S/o Shailja Nandan Singh, r/o
Gandhi Nagar, P.S.- K. Hat, District- Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh

For the Opposite Party/s : Mr. Arvind Kr.Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

5 08-02-2016 Supplementary affidavit has been filed on behalf of the

petitioner, let it be kept on record.

Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with K. Hat
P.S. Case No. 145 of 2015 registered for the offences punishable
under Sections 394 and 353 of the Indian Penal Code.

Allegedly, four miscreants stopped the motorcycle of
the informant who is a constable and snatched his government
pistol after assaulting him and further the three miscreants fled
away with Pulsar motorcycle but one Sudhir Mehta was
apprehended with assistance of the associates of the informant,
who stated the name of the petitioner that he has fled away with

pistol but he did not disclose the names of other two miscreants.

Submission is of false implication and that the petitioner has been made victim of the circumstance, he is a psycho patient and during custody his health is being deteriorated, he was referred to PMCH, Patna for treatment, the petitioner was arrested on 28.02.2015 but he has been remanded in this case on 16.03.2015, for the same occurrence two F.I.Rs have been lodged in K. Hat P.S. Case No. 146 of 2015, the petitioner has been allowed bail and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner was caught with that pistol and magazine containing cartridge.

In the facts and circumstances stated above, considering that in K. Hat P.S. Case No. 146 of 2015, the petitioner has already been allowed bail by the learned lower court below by B.P. No. 835 of 2015 and in this case, the name of the petitioner has come in the confessional statement of co-accused and, as such, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned CJM, Purnea in connection with K. Hat

P.S. Case No. 145 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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