

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55831 of 2015

Arising Out of PS.Case No. -114 Year- 2013 Thana -MOKAMAH District- PATNA

Ashok Kumar Singh @ Ashok Singh, Son of Late Raghuvansh Singh,
Resident of Village- Madanpur, P.O.- Naraon, P.S.- Avatar Nagar, District-
Saran at Chapra (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rakesh Kumar

For the Opposite Party : Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 17-02-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Mokama
P.S. Case No.114 of 2013, registered under Sections 393, 307,
353, 414/34 of the Indian Penal Code and Section 25(1-b)a, 26, 27
and 35 of the Arms Act, but later on case was converted under
Sections 302, 201, 120(B)/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Learned counsel appearing on behalf of the
petitioner submits that initially the petitioner was informant in the
present case, but later on, the investigation was handed over to
C.I.D. in which petitioner and two other constables were also



made accused and chargesheet was submitted against the petitioner and others. Thereafter, the prayer for bail of the petitioner was rejected by this Court on 08.05.2014 vide Criminal Miscellaneous No. 39099 of 2013. Thereafter, the petitioner filed the Criminal Miscellaneous No. 11671 of 2014 for quashing the order of the cognizance order dated 06.01.2014 on the ground that vehicle in question as seized with arms and ammunitions belongs to the ruling party M.L.A. due to that reason, the investigating agency deliberately choose not to investigate about the alleged seized vehicle in which on 13.03.2014 further proceeding in respect to petitioner was stayed. The petitioner also filed C.W.J.C. No. 177 of 2014 for direction to the investigating agency for reinvestigation of the case with respect to aforesaid aspect in which the State Government filed counter affidavit annexing Memo No. 448, dated 19.02.2015 issued by the Superintendent of Police, C.I.D to initiate further investigation in the case. The petitioner, who is Inspector in Bihar Police is in custody since 20.07.2013 and in near future, there is no chance of conclusion of the trial.

Having regard to the facts and the circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with

two sureties of the like amount each to the satisfaction of the Additional District & Sessions Judge-4, Barh, in connection with Mokama P.S. Case No. 114 of 2013 (Sessions Trial No. 198 of 2014). Out of two sureties, one surety must be government servant.

(Rajendra Kumar Mishra, J)

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