

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37467 of 2017

Arising Out of PS.Case No. -112 Year- 2016 Thana -RASULPUR District- SARAN

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Amit Kumar Singh @ Amit Kumar Son of Anil Singh, resident of Village-
Donar, P.S. Rasulpur, District Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 10-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 02.12.2016 in
connection with Rasulpur P.S. Case No. 112 of 2016 for offences
punishable under Sections 412 of the Indian Penal Code and under
Sections 25(1-B) a/26 of the Arms Act.

The prosecution case, as lodged by the police personnel
is that the petitioner was apprehended with motorcycle which was
a stolen one and for which Manjhi P.S. Case No. 245 of 2016 had
been lodged. On search, from the possession of the petitioner, one
country made pistol with two live cartridges along with mobile
phone and motorcycle was found. Accordingly, the seizure list
was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has falsely been implicated in



this case. He submits that no overt act has been committed by him and charge-sheet has already been submitted and there is no allegation of tampering the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is involved in other two cases earlier for similar offence.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged 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 Addl. Chief Judicial Magistrate-Xth, Saran at Chapra, in connection with Rasulpur P.S. Case No. 112 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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