

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44581 of 2017

Arising Out of PS.Case No. -126 Year- 2017 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

=====

Kamod Singh Son of Lal Babu Tiwary Resident of village- Bahuara, P.S.-
Kalyanpur, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Sri Nand Kumar

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 27-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
17.05.2017 in connection with Chakia P.S. Case No. 126 of 2017
for offences punishable under Sections 414, 120B of the Indian
Penal Code and Section 25 (1-b) a, 26 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that on information that a veteran criminal Laxmi
Singh is planning from jail along with his gang to murder a
business man, the police apprehended the petitioner and from his
possession one country made pistol, one live cartridge and one



motorcycle which is alleged to be stolen one, was recovered.

It has been submitted by the learned counsel for the petitioner that he is innocent, after the present case the petitioner has been remanded in three more cases and apart from those three cases the petitioner does not bear any criminal antecedent. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is a veteran criminal and on being arrested he disclosed his complicity in the three cases all of which are of serious nature.

Considering the facts and circumstances and the materials on record, let 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 Chief Judicial Magistrate, East Champaran at Motihari in connection with Chakia P.S. Case No. 126 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will



file an affidavit stating his relationship with the petitioner.

(2) 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.

(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

U		T	
---	--	---	--

