

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3968 of 2018

Arising Out of PS. Case No.-65 Year-2017 Thana- NASRIGANJ District- Rohtas

Sanjay Kumar Singh @ Sanjay Yadav Son of Brij Bihari Singh Resident of
village- Dihara, Police Station- Bikramganj, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr. Manoj Kumar – 1, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioner and
the learned A.P.P. for the State.

Petitioner is languishing in judicial custody
since 17.04.2017 in connection with Nasriganj/ Rajpur P.S.
Case No. 65 of 2017 registered for the offence punishable
under Section 414 of the Indian Penal Code and Sections
25(i-b) and 26 of the Arms Act.

The prosecution case, as lodged by the
informant, is that while on patrolling duty, he got
information that an accused, who had fired and snatched
money a few days prior, was coming on a motorcycle.
Petitioner was apprehended and from his possession a
country made pistol with one loaded cartridge and two live
cartridges were recovered. He did not provide any paper for



the motorcycle, which was alleged to be stolen one. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, no overt act is alleged to have been committed and that the petitioner is languishing in judicial custody for about 10 months and just because he has a criminal antecedent, he has been made accused in the present case. He submits that charges have been framed and petitioner will cooperate in the trial on a day to day basis.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner is a habitual offender and as many as 27 cases, mostly under the same sections of the Indian Penal Code, have been lodged against him.

Considering the facts and circumstances and the materials on record as well as the period of custody, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Nasriganj/ Rajpur P.S. Case No. 65 of 2017, subject to the conditions that:



(1) Both the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating their relationship with the petitioner.

(2) The petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(3) It is also made clear that if, in future, petitioner indulges in an offence of similar nature, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(4) The petitioner will appear before the concerned police station in the first week of every month and failure to appear will entail cancellation of his bail bonds. Petitioner will be allowed not to appear on receiving a good conduct



certificate from the concerned police
station.

(Nilu Agrawal, J.)

Arjun/-

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

