

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3470 of 2019**

Arising Out of P.S. Case No.-172 Year-2018 Thana- NAUTAN District- Siwan

Ramaiya Singh, son of Birendra Singh Village – Mahuwari, P.S. Siwan  
Muffassil, Dist-Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Chandra Kant, Advocate  
For the Opposite Party/s : Mr.Rajendra Singh, APP

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      25-01-2019                      Heard the learned counsel for the petitioner and  
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since  
07.09.2018 in connection with Nautan P.S.Case No.172 of 2018  
for the offence alleged under Sections 399, 402, 413 and 414 of  
the Indian Penal Code and Sections 25(1-b)a, 26/35 of the Arms  
Act.

The prosecution case as lodged by the police  
personnel is that on secret information that some criminals have  
gathered in the Devi temple at Angauta for committing crime.  
The SI team raided the place and apprehended five persons  
including the petitioner. On search from the pocket of the  
petitioner, one country made pistol with one live cartridge and  
one live cartridge from his pocket were recovered. Accordingly,



a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, there is no criminal history and has been falsely implicated in this case due to high handedness of the police. He further submits that no overt-act has been alleged against the petitioner and chargesheet has already been submitted, there being no allegation of tampering with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner was caught with arms and ammunitions.

Considering the facts and circumstances and that the nature of allegations as well as the period of custody and the petitioner has a clean antecedent, 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 in connection with Nautan P.S.Case No.172 of 2018 to the satisfaction learned Chief Judicial Magistrate, Siwan, subject to the following conditions:-

(i) 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.



(ii) 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)**

B.Kr./-

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