

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2145 of 2019

Arising Out of PS. Case No.-82 Year-2018 Thana- PIPRAHI District- Sheohar

Chhotu Singh @ Chhotan Singh @ Ritesh Kumar Singh s/o late Vindhyachal
Singh Resident of Village- Kuama, P.S. Piparahi, District- Sheohar.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur
Mr. Subodh Kumar

For the Opposite Party/s : Mr.Dr. Indiwari Kumari (App 22)

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 07-02-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Piparahi P.S. Case No.
82/2018, instituted for offences under Section(s) 47, 30(a) of the
Bihar Prohibition and Excise Act, 2016 read with Sections 307,
353, 395, 414 and 216(A) of the Indian Penal Code as well as
Sections 25(1-b)A, 26, 27 and 35 of Arms Act and Sections 3/4 of
Explosive Substance Act.

It is alleged in the written report that on getting
information that 5 to 6 accused persons have assembled for
committing crime, police party reached at the place of
occurrence and intercepted a Scorpio vehicle. Seeing the police
party driver of the vehicle started running away after taking the



key. On demand of documents of aforesaid vehicle, a person who was sitting inside the vehicle started making firing on police party and threw bomb due to which government vehicle became damaged. The petitioner was identified as one of the person sitting on the aforesaid vehicle. Police recovered one pistol, one mobile phone of Samsung Company and three bottles of Royal Stag each containing 180ml from the aforesaid vehicle.

Learned counsel for the petitioner has submitted that there is no recovery of any incriminating article from possession of this petitioner. There is no any specific allegation of making firing against this petitioner.

Learned Addl. P.P. after referring to various paragraphs of case diary has submitted that witnesses have taken name of this petitioner. Police has recorded the confessional statement of this petitioner in para 131 of case diary. The State has further pointed out para 9 and 10 of case diary which is statement of independent witnesses, wherein name of this petitioner has been taken by them.

Learned counsel for the petitioner has submitted that in all the aforesaid paragraphs, there is no specific allegation of overt act against this petitioner.



The other co-accused has already been granted bail by this Court in Cr. Misc. No. 77284/2018 dated 21.12.2018.

Petitioner is in custody since 08.09.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Sheohar in connection with Piparahi P.S. Case No. 82/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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