

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8750 of 2019**

Arising Out of PS. Case No.-245 Year-2018 Thana- MASHRAK District- Saran

ROHAN KUMAR SINGH @ ROHAN KUMAR Son of Rajendra Kumar  
Singh @ Rajendra Singh @ Gajendra Kumar Singh R/o village- Madanpur ,  
P.S- Awatar Nagar, District Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raghunandan Kumar Singh  
Mr. Upadhyay Saurabh Kumar  
For the Opposite Party/s : Mr.Anant Kumar 1

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

2      15-02-2019                      Heard learned counsel for the petitioner and  
learned APP for the State.

Petitioner is languishing in judicial custody since  
26.07.2018 in connection with Mashrak P.S. Case No. 245  
of 2018 for offences punishable under Sections 399, 402 of  
the Indian Penal Code and Sections 25(1-b) a, 35, 26 of the  
Arms Act.

The prosecution case, as lodged by the police  
personnel, is that during checking they found 8-9 persons  
standing beside three motorcycles. On seeing the police all  
the persons tried to flee away but four of them were  
apprehended. From the possession of co-accused Tufani Rai  
one country-made pistol and two live cartridges was



recovered. However, name of the petitioner was revealed on the confessional statement of co-accused Tufani Rai.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, was not apprehended by the police and nothing has been recovered from his conscious possession. He further submits that charge-sheet has already been submitted and one of the co-accused, who was apprehended by the police with country-made pistol and live cartridges, has already been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 74443 of 2018 vide order dated 13.12.2018.

However, learned APP for the State opposes the prayer for bail.

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 Addl. Chief Judicial Magistrate-VI, Saran at Chapra, in connection with Mashrak P.S. Case No. 245 of 2018, subject to the condition that 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.

**(Nilu Agrawal, J)**

Rajesh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

