

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13444 of 2019

Arising Out of P.S. Case No.-346 Year-2018 Thana- PANCHRUKHI District- Siwan

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AMIT KUMAR SINGH @ AMIT SINGH (M) aged about 20 years, Son of
Late Santosh Singh Resident of Village - Dehkani, P.S.- Daraunda, District -
Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 07-03-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
14.12.2018 in connection with Pachrukhi P.S.Case No.346 of
2018 for the offence alleged under Sections 399, 402, 386, 414,
413 and 120B 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 miscreants
have gathered to commit crime, the police raided the spot and
apprehended five persons including the petitioner while four
other persons managed to flee away. On search, while from the
possession of other co-accused country made pistol and live
cartridges were recovered but from the possession of the



petitioner, one mobile and two sims were recovered. Two motorcycle were also recovered which was alleged to be stolen one.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent, no arms was recovered from his possession, as such, the allegation under the Arms Act is not tenable and that the petitioner undertakes to cooperate in the investigation not to induce witnesses or tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner has himself confessed of his involvement with other co-accused and all the accused persons were planning to commit crime.

Considering the facts and circumstances, the nature of allegations and the period of custody, 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 Pachrukhi P.S.Case No.346 of 2018 to the satisfaction of learned Additional Chief Judicial Magistrate-VI, 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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