

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20942 of 2019

Arising Out of PS. Case No.-226 Year-2014 Thana- BRAHMPUR District- Buxar

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ARUN KUMAR SINGH @ ARUN SINGH Son of Late Ram Prabesh Singh
Resident of Village - Chakwara, P.S.- Nawanagar, Distt - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjana Sinha

For the Opposite Party/s : Mr.Anish Chandra

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
29.01.2019 in connection with Brahmapur P.S. Case No. 226 of
2014 for offences punishable under Sections 414, 467, 468, 471,
420, 120-B 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 information that a dreaded criminal Daya
Shankar Singh along with his associates are going to commit
some crime, the police raided the place and the said co-accused
Daya Shankar Singh was found fleeing away from the place as
identified by the local villagers and Chowkidar. Raid was also
conducted in the house of the associate of co-accused Daya



Shankar Singh, namely, Binay Shankar Yadav but he was also found absconding. It is alleged that the dreaded criminal Daya Shankar Singh along with his associates were planning to commit some crime as two motorcycles were recovered in abandoned condition and huge arms and ammunition were recovered from the motorcycle.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report and has been falsely implicated in the aforesaid case only on suspicion. He submits that Sessions Trial No. 35 of 15 was lodged against the petitioner in which he has been acquitted by judgment dated 09.05.2017 by the learned Sessions Court and does not bear any criminal antecedent as of now. He further submits that co-accused Binay Shankar Yadav and Karan Singh, on similar allegations, whose name surfaced along with the petitioner during course of investigation, have been allowed regular bail by the learned court below itself and just because he had not surrendered on the direction of this Court while rejecting the anticipatory bail earlier, his bail has been rejected by the learned court below. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner undertakes to cooperate in the investigation and not to induce witnesses or tamper with the prosecution evidence.



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

Considering the nature of allegations and the materials on record as well as the period of custody, 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 Chief Judicial Magistrate, Buxar, in connection with Brahmpur P.S. Case No. 226 of 2014, 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)

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