

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27270 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- SIKANDRA District- Jamui

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1. GUDDU SINGH @ ANAND KUMAR SINGH, S/O Late Chandra Sekhar Singh.
 2. Rajesh Singh @ Dablu Singh @ Rajesh, S/o Dharndhar Singh.
 3. Chanchal Singh, S/o Shyam Singh
All are Resident of Village Pathakchak, P.S.- Sikandra District- Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pankaj Kumar Sinha
For the Opposite Party/s	:	Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-08-2019 Heard learned counsel for the petitioners and learned
APP for State.

The prayer for anticipatory bail of the petitioners was earlier rejected by this Court vide order dated 05.03.2019 passed in Cr.Misc. No.12273 of 2019.

Learned counsel for the petitioners submits that the prayer for anticipatory bail was rejected on taking a view that the motorcycle in question belongs to the petitioners, but the fact stated in the FIR itself would disclose that the motorcycle belongs to petitioner no.1. So far as petitioner nos.2 and 3 are concerned, it is alleged that they came there when the motorcycle was being searched by the police party. It is not the



allegation that the petitioner nos.2 and 3 were pillion riders. In these circumstances, it is submitted that the prayer for anticipatory bail of the petitioners is fit to be considered in the changed facts and circumstances which are being pointed out to this Court.

Learned APP for the State is present and has opposed the prayer for anticipatory bail. It is however not disputed that so far as petitioner nos. 2 and 3 are concerned, as per the allegation they had come at the place where the motorcycle was being searched by the police party only later on and there is no material to show that they had any connection with the motorcycle.

In the given facts and circumstances of the case where this Court finds from the submissions now that the motorcycle in question belongs to the petitioner no.1, this Court would not extend the privilege of anticipatory bail to him, but so far as petitioner nos.2 and 3 are concerned, since they had come at the spot where motorcycle was being searched only later on and it is their submission that because they refused to sign on the seizure list police has falsely implicated them, let the petitioners no.2 and 3 i.e. Rajesh Singh @ Dablu Singh @ Rajesh and Chanchal Singh in the event of their arrest or surrender within a period of



four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Jamui in connection with Sikandra P.S. Case No.5 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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