

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26025 of 2019

Arising Out of PS. Case No.-248 Year-2018 Thana- SHIVSAGAR District- Rohtas

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KRISHNA SINGH S/O- Narendra Pratap Singh, R/o Village- Kilani, P.S.-
Chand, District- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey

For the Opposite Party/s : Mr.Rina Sinha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-05-2019 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State.

Petitioner is languishing in judicial custody since
19.07.2018 in connection with Shivsagar P.S. Case No. 248 of
2018 for offences punishable under Sections 395, 397, 412 of
the Indian Penal Code and Sections 27(1-b)a, 26(II), 27 and 35
of the Arms Act.

The prosecution case as lodged by the police
personnel is that while on patrolling duty at night, they received
information that some criminals have looted the Gas Agency
and are fleeing away, the police found two motorcycle ridden by
three persons each. One motorcycle was intercepted but another
motorcycle ridden by three persons managed to flee away and
three persons were apprehended including the petitioner. On



search from other co-accused, arms and ammunition was recovered from the possession of the petitioner also one country made pistol and two mobiles were recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and after the present case the petitioner has been made accused in three more cases of similar nature. He further submits that no overt act has been alleged against the petitioner and the petitioner has been apprehended on suspicion on committing loot and dacoity. He further submits that charge-sheet has already been submitted and the petitioner is languishing in judicial custody since more than nine months.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and three more cases of similar nature are pending against him.

Considering the nature of allegations, period of custody and that charge-sheet has already been submitted, let the 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 the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Shivsagar P.S.



Case No. 248 of 2018, subject to the conditions:-

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) 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)

devendra/priyanka

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