

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26194 of 2019

Arising Out of PS. Case No.-1124 Year-2018 Thana- DEHRI TOWN District- Rohtas

RABINDRA SINGH, aged about 42 years, Male, Son of Ram Bachchan
Singh Resident of Village - Telaiya Sindhi, P.S.- Kargahar, Distt – Rohtas
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Rani Kumari, Adv.

For the Opposite Party : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2019 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
14.12.2018 in connection with Dehri (T) P.S. Case No. 1124 of
2018 for the offences alleged under Sections 400, 401, 411 and
414 of the Indian Penal Code and under Sections 25(1-b), 26(A)
and 35 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that on secret information that some persons have
assembled near the electricity office to commit a serious crime,
the police reached the place and apprehended three persons and
on search country made pistol and live cartridges were
recovered along with Samsung screen touch mobile. On the
confessional statement of the apprehended co-accused, Manish



Kumar, the house of the petitioner was searched and from the house one stolen motorcycle was recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, the said motorcycle recovered from the house of the petitioner was a purchased motorcycle and the confessional statement of the co-accused has no evidentiary value in the eye of law. It is, further, submitted that charge sheet has been submitted and the petitioner is languishing in judicial custody since nearly five months.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and one more case is pending against him.

Considering the nature of allegations, the period of custody and that charge sheet has already been submitted, 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 Dehri (T) P.S. Case No. 1124 of 2018 to the satisfaction of the learned Subdivisional Judicial Magistrate, Dehri at Rohtas, or the successor Court, subject to the condition that one ne 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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