

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34672 of 2019

Arising Out of PS. Case No.-194 Year-2019 Thana- SARAIYA District- Muzaffarpur

PREM SHANKAR SINGH @ TUNNA SINGH S/o Sri Vishwanath Singh
Resident of Village- Berua, P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rathore Vasundhara

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 30-03-2019 in a case registered for the offences punishable under Sections 414, 467, 468, 471, 472, 419, 420, 171, 120 (B) of the I.P.C. and 25 (1-B)a of Arms Act.

The prosecution case is that on 29-03-2019 during patrolling, the informant being the S.H.O. of Jaitpur O.P., received a secret information that one Mithilesh Singh has kept some stolen vehicles. Subsequently, the house of the petitioner was raided from where, four persons including the petitioner, were apprehended. It is further alleged that from the possession of co-accused Subhash Chandra Singh, one double barrel gun was recovered and from the possession of the petitioner, a cash of about Rs. 5 lakhs was recovered.

It is submitted by learned counsel for the petitioner that even



assuming the recovery of cash, no offence as alleged is made out against the petitioner. Though the petitioner is accused in six cases, but he has been acquitted in three cases and in other three cases, he is on bail. Moreover, other co-accused Subhash Chandra Singh has been granted bail by a Co-ordinate Bench of this Court vide order dated 06-05-2019 passed in Cr. Misc. No. 32590 of 2019.

Learned APP submits that there is specific accusation against the petitioner.

Considering the nature of recovery from the possession of petitioner and the fact that co-accused persons have been granted bail by a Co-ordinate Bench of this Court, coupled with the period in custody, let the petitioner above named be released 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 Addl. Chief Judicial Magistrate-1st, West Muzaffarpur in connection with Saraiya (Jaintpur O.P.) P.S. Case No. 194 of 2019.

(Dinesh Kumar Singh, J)

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