

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44538 of 2019

Arising Out of PS. Case No.-345 Year-2017 Thana- CHAKIA District- East Champaran

Vikash Singh, Son of Vinod Kumar Singh @ Manoj Kumar Singh, Resident of Village - Ward No. 31, Near Dr. C.L. Jha, New Agarwa, P.S.- Town, District - Motihari, Permanent Resident of Village - Bhawanipur, P.S. - Sangrampur, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar, Advocate.

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 16-11-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Chakia P.S. Case No. 345 of 2017 registered under Section 120(B) of the Indian Penal Code and Section 25(1-b)a/26 of the Arms Act.

The accusation is that on receiving secret information about notorious criminal, Kunal Singh and his associates near the office of Rural Work Department, Barmadiya, the informant along with other police personal reached there then found that one suspected person was seen moving in fast speed from the office of Rural Works Department



but on chased, he was apprehended, who disclosed his name Kunal Singh. On search, he was found in possession of one country made pistol loaded with cartridge and four live cartridges. On query, Kunal Singh disclosed the name of his three associates as Tunna Singh, Rahul Singh and Vikash Singh (petitioner) and he also disclosed that they were hired to create nuisance and kill the Executive Engineer of Rural Work Department, Barmadiya.

Learned counsel for the petitioner submits that it would appear from the FIR that when the informant and other police personnel reached at the spot, only co-accused, Kunal Singh was seen, who was apprehended with loaded country made pistol and live cartridges and also disclosed the name of three persons including the petitioner as his associates. Learned counsel for the petitioner submitted at bar that petitioner is accused in two other cases, as detailed in paragraph 3 of the case dairy, due to that reason he is implicated in the present case with false allegation and in both cases, he is on bail.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of six arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned A.C.J.M.-XIII, Motihari, East Champaran, in connection with Chakia P.S. Case No. 345 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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