

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56126 of 2019

Arising Out of PS. Case No.-139 Year-2016 Thana- BARH District- Patna

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Rajnish Kumar Singh @ Rajnish Singh, Son of Shiv Shankar Singh, Resident
of Village-Anand Golba, P.S.-Mohadinagar, District-Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Chandra, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody on his remand since
08.06.2018 in connection with S. Tr. No.09/19 arising out of
Barh P.S. Case No.139 of 2016 allegedly having committed the
offence under Sections 302, 394/34 of the Indian Penal Code
and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that
save and except conjectures and surmises, there is nothing on
record to indicate the implication of the present petitioner. It is
further submitted that though the F.I.R. is against two
unknown accused persons, who are alleged to have killed the
police officer and had taken away his Government pistol, the
name of the petitioner transpired only subsequently on the



basis of confessional statement of co-accused Lallan Singh which has no evidentiary value. He further submits that pursuant to the aforementioned confession, the petitioner has been taken into custody in connection with the present case. There has been no recovery from the petitioner of any of the looted articles.

So far as the antecedents are concerned, learned counsel for the petitioner submits that in all the three cases mentioned in paragraph 3 of the bail petition, the petitioner has been granted bail save and except at serial No.(iv) Sohsarai P.S. Case No.32/17. Learned counsel further submits that the petitioner undertakes to present himself in the trial as and when required.

Considering the aforementioned facts and circumstances and that there is nothing on record save and except the confessional statement made before the police, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-V, Barh, District-Patna, in connection with S. Tr. No.09/19 arising out of Barh P.S. Case No.139 of 2016, subject to the following conditions:



(1) One of the bailors will be his own blood relative, preferably, father, mother, son, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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