

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71512 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- PANDARAK District- Patna

KARNVIR SINGH @ KARNVIR SINGH YADAV @ LALLU MUKHIA
Son of Late Ram Vilas Prasad @ Ram Vilas Prasad Yadav Resident of Village
- Gulabbag, P.S.- Barh, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 11-12-2019 A supplementary affidavit is filed stating therein that

the case has now been transferred to the Court of learned
A.C.J.M. 1st-cum-Special Judge, Patna from the Court of
A.C.J.M., Barh who is competent to try the cases of People's
Representatives.

In view of the above fact, the petitioner is permitted to
make correction in first paragraph as well as in the prayer
portion of the bail petition with regard to the name of the Court
in seisin of the case.

Heard Mr. P.K.Shahi, learned senior counsel for the
petitioner and Mr. Ajay Mishra, learned A.P.P..

The petitioner seeks bail in Pandarak P.S. Case No.75
of 2019 registered under Sections 341, 323, 504, 506, 120(B) of
the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the



Arms Act.

The informant alleged that in course of patrolling on 15.07.2019, informant got secret information that 3-4 criminals having armed with firearm came with a view to kill someone and they were roaming around. On such information, a raid was conducted near S.B.I., Pandarak. There was some commotion and many people had assembled thereon. Three persons were apprehended by the villagers who disclosed their names as Golu Kumar, Md. Chhotu and Chhotu @ Rajveer Kumar. Arms and ammunition were recovered from the apprehended accused. The apprehended accused disclosed that Anant Singh(M.L.A. of Mokama) directed them to kill Bhola Singh and his brother(Mukesh Singh). Lallu Mukhia (the petitioner) is said to have asked his brother (Ranveer Yadav) and Chandan Singh to drop them near the place of occurrence.

The learned senior counsel for the petitioner submits that petitioner is Lallu Mukhia who is said to have asked his brother to drop the apprehended accused near State Bank of India. There is nothing on record to show that petitioner played any role in hatching up a conspiracy. The apprehended accused namely, Ranvir Kumar @ Ranvir Yadav and others have already been enlarged on bail. Petitioner is in jail since 30.08.2019.



While opposing the prayer for bail, Mr. Ajay Mishra, learned A.P.P. submits that from perusal of the order of learned Additional Sessions Judge, it transpires that the petitioner is part of the conspiracy to kill the enemy of Anant Singh. Petitioner had talked with Anant Singh which reveals from para 193 of the case diary but it does not appear that Anant Singh gave any instruction to the petitioner and in pursuance thereof the petitioner acted and did any work in furtherance of the conspiracy.

Having considered the facts that name of the petitioner is of course disclosed by the apprehended accused but nothing has been recovered from the possession of the petitioner and all other similarly situated persons have been enlarged on bail and the fact that petitioner is in jail since 30.08.2019, 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 to the satisfaction of learned A.C.J.M. 1st, Patna-cum-Special Court, Patna in connection with Pandarak P.S. Case No.75 of 2019.

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(Prabhat Kumar Jha, J)

