

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3355 of 2020

Arising Out of PS. Case No.-424 Year-2019 Thana- KESARIA District- East Champaran

ABHAY SINGH S/O Arun Singh R/O Laukaha, P.S. Chakia, District East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 22-01-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is in custody since 09.10.2019 in connection with Kesariya P.S. Case No. 424 of 2019 for the offence registered under Sections 399, 402, 414 and 120B of the Indian Penal Code and Section 25 (1-b) (a), 26 (ii) and 35 of the Arms Act.

Learned counsel for the petitioner submits that on some secret information being received by the police, they raided the premises of the Government School wherein it is alleged that the petitioner and some other persons had collected for the purpose of committing decoity. It is further submitted that the allegation against the petitioner is that he was caught while running away and from his possession certain fire arms



with five live cartridges were recovered. It is further submitted that the alleged recoveries have been planted on him and the petitioner has been falsely implicated in this case only because of his criminal antecedents. It is further submitted in the other cases which he has enumerated in the bail application, the petitioner has already been extended the privilege of bail.

Considering the aforesaid facts and circumstances of the case and that the petitioner has been taken into custody on mere suspicion, 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 Chief Judicial Magistrate, East Champaran in connection with Kesariya P.S. Case No. 424 of 2019, 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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