

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6744 of 2020

Arising Out of PS. Case No.-403 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

GOLU SINGH Son of Srikant Singh Resident of Village - Vishunpura, P.S.-
Chapra Muffasil, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Sanjana

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 01-10-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

Informant is a police officer who has alleged that on 13.10.2019 after receiving confidential information that some suspected persons had assembled in the campus of J.P. University to commit some crime, he along with other police personnel reached the campus of J.P. University and saw some persons having seen the police started fleeing away but out of



them three persons were apprehended on the spot and rest managed to flee away and on query being made, they disclosed their name as Law Kumar Singh, Akash Rai and Vishal Kumar and on search, one loaded country made pistol with one cartridge, knife, mobiles and Rs.5000/- were recovered from their joint possession. It is further alleged that arrested persons disclosed that they had assembled there for committing loot and also disclosed the name of their accomplice as Bishwanath Rai, Golu Singh (petitioner), Mukesh Rai, Prince Kumar and Shatrudhan Rai.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to dirty village politics. It is further submitted that petitioner was neither apprehended on the spot nor anything was recovered from his possession. It has been submitted that name of the petitioner has surfaced in this case on the confessional statement made by the co-accused and except the said confessional statement, there is no any other incriminating material against the petitioner. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on



anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Chapra Mufassil P.S. Case No.403 of 2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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