

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10120 of 2020

Arising Out of PS. Case No.-336 Year-2019 Thana- TAJPUR District- Samastipur

Sudarshan Singh, aged about 35 years, Male, S/o Harivansh Singh, R/o Village-Panchbhinda, P.S.-Tajpur (Halai O.P.), District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Tajpur (Halai O.P.) P.S. Case No. 336 of 2019 registered for the offences punishable under Sections 341, 323, 504, 506/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 37(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story in brief is that the informant Sanjay Kumar Rai made a written statement before O/C Halai O.P. on dated 15.09.2019 and the same was forwarded to Tajpur P.S. for registration a case which has been registered dated 15.09.2019. The informant has alleged that on dated 14.09.2019 at 11:30 night Shivnandan Yadav along with 3-4



unknown persons came on Bolero bearing Registration No.BR-33M0151 and stopped at his door and started indiscriminate firing on which informant came out from his house on which Shivnandan Yadav asked him to withdraw the case otherwise he would be also killed by him as his father has been killed. He has further alleged that Shivnandan Yadav was caught but 3-4 unknown persons fled away leaving the Bolero. The Halai (O.P.) Police was informed who came took away Shivnandan Yadav who was in drunken position.

Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner rather the co-accused Shivnandan Yadav was in drunken position. Learned counsel for the petitioner further submits that the petitioner is the owner of the said vehicle as there is no recovery from the said vehicle or in possession of the petitioner. He further submits that the petitioner has got no any criminal antecedent.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/-



(twenty thousand) with two sureties of the like amount each to the satisfaction of Additonal Sessions Judge 2nd-Cum-Special Judge, Excise, Samastipur in connection with Tajpur (Halai O.P.) P.S. Case No. 336 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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