

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15073 of 2020

Arising Out of PS. Case No.-187 Year-2018 Thana- MANJHAGARH District- Gopalganj

ANIL SINGH Son of Shri bechu Singh @ Parsuram Singh Resident of
Village - Rohra, P.S.- Barharia, Dist.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binit Kumar

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 18-09-2020

The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Sri Tarkeshwar Nath Thakur, the learned APP for the State.

The petitioners seek regular bail in connection with Manjhagarh PS case no. 187 of 2018 instituted for the offences punishable under Sections 399, 400, 402 of Indian Penal Code and 25(1-b)a, 26, 35 of Arms Act.

The S.H.O., Manjagarh police station is stated to have received secret information that some miscreants were planning to commit dacoity, whereupon a raiding team was organized which had reached the alleged place of occurrence on the alleged date and time of occurrence, however the



miscreants, upon noticing the police, started fleeing away but some of the miscreants were arrested and on search, arms and ammunitions were recovered as also upon interrogation, they had named the persons who had managed to flee away and had also disclosed the name of the petitioner as their accomplice.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present on account of confessional statement made by co-accused persons, who were arrested by the police. The petitioner is said to be languishing in custody since 15.01.2020.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties and taking into account the fact that no recovery of illicit arms has been made from the petitioners herein and the petitioner's name has cropped up in the present case on account of disclosure made by the co-accused persons, I deem it fit and proper to admit the petitioner to the privilege of bail, however subject to certain conditions on account of the bad criminal antecedent of the petitioner herein. Accordingly, the abovenamed petitioner is directed to be released on bail on



furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh PS case no. 187 of 2018.

This Court further directs that since the investigation of the present case is going on, the petitioner herein would appear before the Officer-in-charge of the concerned police station on each and every Monday of the week and co-operate with the Investigating Officer and in case of two consecutive defaults in appearing before the said Officer-in-charge, the present privilege of bail being granted to the petitioner herein shall stand cancelled automatically and the petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

