

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18683 of 2020

Arising Out of PS. Case No.-354 Year-2019 Thana- TEGHRHA District- Begusarai

SANTOSH KUMAR @ CHATTAN SINGH Son of Shyam Kumar @ Shyam
kunwar Resident of Village - Pidhouli, P.S.- Teghra, Distt - Begusarai.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Sabal Kumar Jha, Advocate.
For the State : Mr. Binod Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 09-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner seeks bail in connection with Teghra
P.S. Case No.354 of 2019 registered under Sections 341, 323,
307 and 353/34 of the Indian Penal Code besides Sections 25(1-
b) a, 26 and 35 of the Arms Act and Section 37(C) of the Bihar
Excise Act, pending in the court of the Additional Sessions
Judge-II-cum-Special Judge, Excise Act, Begusarai.

The accusation is that on receiving the secret
information about creating nuisance by Santosh Kumar
(petitioner) and his brother Vipin Kumar in drunken state at
Teenmuhani, situated in village-Bisaua, the informant along
with other police personnel proceeded for there, while another



police team had earlier reached there. When the informant along with other police personnel reached at Teenmuhani, situated in village-Bisaua, then saw that the police team, reached earlier, was trying to caught hold two persons, who were causing assault to the police personnel. Thereafter, the informant along with other police personnel caught hold the aforesaid two persons. At that time, A.S.I. Suchit Kumar, A.S.I. Sanjeet Kumar Paswan and Chowkidar Manoj Kumar Mahto of another team sustained injury. The caught hold persons disclosed their name as Santosh Kumar alias Chattan Singh (petitioner) and Vipul Kumar alias Vipin Kumar alias Lola. On search, the petitioner was found in possession of one loaded country made pistol, while Vipul Kumar alias Vipin Kumar alias Lola was found in possession of one live cartridge and a piece of bamboo. At that time, the smell of consuming liquor was coming out from the mouths of the aforesaid two caught hold persons.

Learned counsel appearing on behalf of the petitioner submits that the allegation against the petitioner and the co-accused Vipul Kumar alias Vipin Kumar alias Lola has been made in the F.I.R. to cause assault to the police personnel but the injuries, as found on the person of the police personnel,



are simple in nature. The petitioner is in custody since 10.10.2019.

The petitioner appears to be accused in three other cases, as detailed in paragraph-3 to this application.

Having regard to the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected. However, the trial court is directed to conclude the trial of the petitioner within six months from today by taking all effective steps. If the trial of the petitioner is not concluded within the aforesaid period of six months, the petitioner would be at liberty to renew his prayer for bail.

(Rajendra Kumar Mishra, J)

P.S./-

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