

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21363 of 2020

Arising Out of PS. Case No.-118 Year-2019 Thana- AKHODHIGOLA District- Rohtas

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GOLDEN SINGH @ SUSHIL KUMAR @ SUSHIL SINGH Son of Late
Basant Singh Resident of Village - Gangauli, P.S.- Dalmianagar, District -
Rohtas at Sasaram.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Raghunandan Kumar Singh
For the Opposite Party/s	:	Mr.Shyam Kumar Singh (APP)
	:	Mr.Bachan Jee Ojha

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 12-10-2020

Heard learned counsel for the parties.

This application for grant of regular bail arises out of Akhourigola P.S. Case No. 118 of 2019 registered for the offence punishable under Sections 394, 302 and 396 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the F.I.R. that the informant along with the deceased and their driver were collecting some due money, from a shopkeeper in the market, when the accused persons came in a motorcycle, armed with a country made pistol. They snatched the bag from deceased and on being protested, one of them shot at the deceased Amit Kumar leading to his death.

Learned counsel appearing on behalf of the petitioner has submitted that the F.I.R. is against unknown and the petitioner has been unnecessarily implicated and despite the fact



that he is in custody since 10.02.2020, he has not been put on T.I. Parade, though his name has surfaced only on the basis of confessional statement of co-accused Sanjeev Kumar.

I have perused the case diary and the said confessional statement of the co-accused recorded under Section 161 of the Cr.P.C. Co-accused Sanjeev Kumar has given vivid description of the manner of commission of the offence. From the confessional statement, it transpires that the said co-accused and the petitioner and others had formed a gang of criminals and were engaged in committing theft of vehicles, snatching valuables etc., which they had adopted as their means of livelihood. It transpires that upon thorough investigation on the basis of Call Detail Record, the police could identify the location of this petitioner and other accused persons near the place of occurrence.

Considering the seriousness of offence, I am not inclined to grant the petitioner, privilege of regular bail.

This application is dismissed.

It is indicated that defect, if any, shall be shall be removed within two months.

Since there is a lockdown, the Court has considered it appropriate to adopt following procedure for communication of the present order:-



(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social-distancing.

(Chakradhari Sharan Singh, J)

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