

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28887 of 2020

Arising Out of PS. Case No.-41 Year-2020 Thana- CHANDI District- Bhojpur

=====

Santosh Singh, Age (36) S/O- Bishwanath Singh, R/O village- Narahi, P.S
Chandi, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh 1, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 17-12-2020 Heard Mr. Manoj Kumar, learned counsel for the

petitioner and Mr. Ashok Kumar Singh No. 1, learned

Additional Public Prosecutor appearing for the State through

video conferencing.

Petitioner apprehends his arrest in connection with

Chandi P.S. Case No. 41 of 2020 registered for the offence

punishable under Section 393 / 401 of the I.P.C. and Section 25

(1-B) a / 26 / 35 of the Arms Act.

The allegation as per the First Information Report is

that the Police got secret information that two persons were

present in the garden near Shiv Mandir and were preparing to

commit an offence, proceeded towards the place of occurrence

and upon seeing the Police party one person managed to escape

but another person was arrested by the Police and from his



possession one country made pistol along with four cartridges were recovered and the arrested accused person disclosed the name of petitioner.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and has falsely been implicated in this case on the basis of disclosure of his name by the arrested co-accused. Learned counsel further submits that petitioner has got no criminal antecedent. Referring to Annexures- 1 and 2 of the supplementary affidavit learned counsel for the petitioner submits that the petitioner is a regular student of B.A. (Hons.) Course and is registered in Veer Kunwar Singh University, Ara (Bihar) and has passed the Intermediate Examination in the year 2019.

Having regard to the submissions made by the parties and taking into consideration the materials available on record and the fact that petitioner has got no criminal antecedent and he is a regular student of B.A. (Hons.), I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail



bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- 12th or concern court Bhojpur at Ara in connection with Chandi P.S. Case No. 41 of 2020, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure with further condition:-

*(i) that the petitioner shall not repeat
similar offence in future.*

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

praful/-

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

