

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 24741 of 2020**

Arising Out of PS. Case No.-132 Year-2020 Thana- AMARPUR District- Banka

SANTOSH KUMAR SINGH Son of Shiv Shankar Singh Resident of Village-
Kenduar, Police Station-Amarpur, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr Vinod Shankar Modi, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **25-09-2020** As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Amarpur (Fullidumar) Police Station (for brevity, PS) Case No 132 of 2020 instituted for the offence punishable under Sections 399, 402 of Indian Penal Code and Sections 25 (1-b) A, 26/35 of Arms Act.



On information that some anti social elements have assembled for committing crime, the vehicle in question in which petitioner was allegedly found sitting, has been searched and one country made pistol and two live cartridges have been recovered from his possession.

Petitioner's counsel submits that the petitioner is in custody since 06.03.2020. The petitioner's implication is false and his confession has been recorded under duress as he was a bona fide passerby and has no concern with the recovery made from the vehicle or attributed from his possession.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in Amarapur (Fullidumar) PS Case No 132 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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

