

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.30453 of 2020**

Arising Out of PS. Case No.-716 Year-2019 Thana- HAJIPUR District- Vaishali

AKASH KUMAR SINGH Son of Satendra Narayan Singh Resident of
Village-Dhashoi, P.S.-Dhanshoi, District-Buxar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ansul,Advocate

For the Opposite Party/s : Mr.Shakir Admad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 25-11-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner in the present case is seeking regular bail in connection with Hajipur Town P.S. Case No. 716 of 2019 registered for the offences punishable under Sections 356 and 379 of the IPC.

Learned counsel for the petitioner submits that there are three cases against the petitioner out of which in two cases he is on bail and his bail application in the third case is pending. He was arrested in connection with Hajipur Town P.S. Case No. 750 of 2019 and from the said case after extracting a confessional statement in police custody the petitioner has been involved in the present case.

Learned counsel submits that there is no recovery of any incriminating article from possession of the petitioner and though the petitioner is in custody since 19.08.2019, till date he has not been subjected to Test Identification parade. Learned counsel submits that



if released on bail the petitioner is ready to abide by the terms and conditions which may be imposed for the purpose of bail.

Learned APP for the State is present, he has opposed the prayer for regular bail of the petitioner but does not dispute the contention of the petitioner that there is no recovery from possession of the petitioner and he has not been identified till date.

Having regard to the facts and circumstances of the case, the fact that the petitioner has been brought in this case on the basis of his confessional statement in police custody, there is no recovery from him and till date he has not been identified, he has remained in jail for over 1 year 3 months, let the petitioner above-named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 716 of 2019, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the



facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

The application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

