

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31829 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- RIGA District- Sitamarhi

Siddharth Kumar Singh, Male, aged about 20 years, son of Pravin Kumar Singh, resident of village- Basantpur Pakari, Ward No.1, Police Station-Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 16-12-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Ritesh Kumar Narain Singh, learned counsel for the petitioner and Mr. Jharkhandi Upadhyay, learned In-charge Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. Learned counsel for the petitioner submitted that at the time of filing the application, it was without affidavit, but, now, the affidavit has been done and, thus, undertakes that today itself the same shall be *e* filed before the Court.

4. The petitioner is in custody in connection with Riga PS Case No.28 of 2020 dated 28.01.2020, instituted under



Section 394 of the Indian Penal Code.

5. The allegation against the petitioner, though not named in the FIR, is that he along with two other persons had entered into the office of the informant and after creating havoc had looted rupees twenty five thousand and the accused had also fired two rounds in the air to scare the public who were present there.

6. Learned counsel for the petitioner submitted that besides not being named in the FIR, nothing has been recovered from him and only because after three days of the incident, he was arrested in Riga PS Case No.32 of 2020 instituted under the Arms Act, on 01.02.2020, in which there was a so-called confessional statement of the petitioner disclosing his involvement in the present case, based upon which, he has been remanded in the present case also on 05.03.2020. Learned counsel submitted that besides the other case, he has no other criminal antecedent and is also not connected with the crime and due to highhandedness of the police, he has been falsely implicated.

7. Learned APP submitted that in close proximity the petitioner was arrested with firearms and he had disclosed his complicity in the present case also and there is no reason to



disbelieve the same as that is the normal procedure of investigation where the identity of the culprits is not known.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi, in Riga PS Case No.28 of 2020, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

9. This order shall be subject to the petitioner *e*



filing the affidavit before the Court today.

10. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J)

J. Alam/-

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