

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75568 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

Prem Kumar Singh @ Prem Kumar Tiger @ Prem Kumar Singh Tiger, Son of
Sri Yugal Kishore Singh, Resident of Village- Bhadai, Ward No.10, P.S.-
Hathauri, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 18-06-2020 The matter has been taken up through virtual Court
proceeding.

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

The petitioner is languishing in custody since
14.01.2019 in a case registered for the offences punishable
under Sections 25(1-B)a/26/35 of the Arms Act, hence, the
prayer for bail has been made through the present application.

The prosecution case is based on the written report
of S.I., Shiv Amit Prakash Kaushik submitted to the Station
House Officer, Runnisaidpur P.S., is to the effect that on
13.01.2019 at 2.00 P.M., a confidential information was
received that Prem Singh Tiger, the petitioner and co-accused
Mukesh Singh have gathered in the house of co-accused and



are preparing to commit the offence, consequently, the house of co-accused Mukesh Singh was raided but they were not found on the spot and on enquiry, it was found that they have gone towards Kataujha by a motorcycle and thereafter, the informant along with others proceeded towards said direction and near Bagmati river, the informant found that one motorcycle was coming from Kataujha side which was intercepted and the petitioner and co-accused Mukesh Singh were apprehended from the possession of the petitioner, one country made pistol loaded with magazine containing three live cartridges, one used cartridge and one live cartridges were recovered whereas from the possession of co-accused Mukesh Singh, one country made pistol loaded with magazine containing three live cartridges were recovered.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been framed in the present case and investigation has already been concluded. The petitioner is accused in six other cases.

Learned APP for the State submits that recovery has been made from the possession of the petitioner.

Considering the nature of recovery, period under custody and the fact that the investigation has already been



concluded, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P.S. Case No. 23 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P.S. Case No. 23 of 2019.

The learned Court below is at liberty to further extend the period of provisional bail if the court proceeding in physical mode will not resume in next three months.



Considering the serious criminal antecedent of the petitioner, the learned court below will positively cancel the bail bonds of the petitioner, if the petitioner gets substantially involved in some serious nature of offence or defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

DKS/-

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

