

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16152 of 2021**

Arising Out of PS. Case No.-285 Year-2020 Thana- KANTI District- Muzaffarpur

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ABHISHEK KUMAR @ CHHOTU SINGH Son of Ajay Kumar Singh
Resident of Village- Jamin Mathiya, P.S.- Minapur (Panapur), District-
Muzaffarpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha,Advocate

For the Opposite Party/s : Mr.Satyendra Prasad Singh, APP

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

3 10-09-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Satyendra Prasad Singh, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Kanti P.S. Case No. 285 of 2020
registered for the offences punishable under Section 401 of the
Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms
Act. He is in custody since 24.05.2020.

As per the prosecution story, police got secret
information that the criminals who were involved in the loot of
the Bank of India and State Bank of India were planning to
commit some crime and they had assembled in the house of co-

accused Badal Kumar Singh. It is alleged that on secret information when the police party reached there, two boys came out of the room and started fleeing away whereupon they were arrested. This petitioner is one of them. The allegation is that from the possession of the petitioner one country-made katta and one .315 bore live cartridge have been recovered.

Learned counsel for the petitioner submits that the petitioner was taken on remand from the present case in Motipur P.S. Case No. 41 of 2020. In the said case, the petitioner has been granted bail in Cri Misc. No. 14278 of 2021.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering that in connection with the present case, the petitioner has remained in jail for over one and half year, investigation against him is complete but the trial is not likely to be concluded in near future and there is no submission on behalf of the State that release of the petitioner is likely to result in tampering with evidence or interfering with the course of trial, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Muzaffarpur West in connection with Kanti P.S. Case

No. 285 of 2020, subject to the conditions as laid down under
Section 437(3) Cr.P.C.

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. However, the acceptance of bail
bonds in terms of the above-mentioned order shall not be
delayed for purpose of or in the name of verification.

This application stands 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'.