

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24269 of 2021

Arising Out of PS. Case No.-190 Year-2020 Thana- RAJPUR District- Rohtas

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AASH NARAYAN KUMAR @ ASSH NARAYAN SINGH, Son of
Dayanand Singh, Resident of Village - Semra Dih, P.S.- Rajpur, Distt.-
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhinay Raj, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within four
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 409, 120(B) of the Indian
Penal Code.

Prosecution case, in brief, is that the petitioner was Ex
-Service man and newly recruited Home Guard who was
assigned command/charge on 21.12.2020. On 23.12.2020 he
alongwith three other persons reported for duty in Anchal



Adhikari Office Rajpur, Rohtas. Four other previously appointed Home Guards also reported for duty during the relevant period on 23.12.2020. It is reported by Anchal Adhikari Rajpur that after about 30 minutes from the reporting time of the petitioner, it was informed that Arms entrusted to petitioner and Ram Bachan Singh were missing. Both Dinesh Singh and Ram Bachan Singh are newly appointed Home Guards who reported vide same command/charge as with the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the arms were not entrusted to the petitioner and those which were found missing were never entrusted to the petitioner, therefore, no case under Section 409 of the Indian Penal Code is made against the petitioner. The petitioner is ex-service man. The petitioner is languishing in judicial custody since 25.12.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition. The similarly situated co-accused have been granted bail by different co-ordinate Benches of this Court.

Learned APP for the State vehemently opposed the prayer for bail application.

Considering the aforesaid facts and circumstances of



the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Rajpur P.S. Case No. 190/2020 to the satisfaction of learned Court below where the case is pending/ successor Court.

(Anjani Kumar Sharan, J)

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