

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28584 of 2021

Arising Out of PS. Case No.-355 Year-2020 Thana- MADHUBAN District- East Champaran

RANDHIR KUMAR SINGH Son of Late Devendra Singh Resident of
Village - Narayanpur, P.S.- Madhuban, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Adv.
	:	Mr. Abhishek Kumar, Adv.
For the Opposite Party/s	:	Mr. Narendra Kumar Singh, APP
For the Informant	:	Mr. Dharmendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 23-11-2021

Heard the parties.

The petitioner seeks bail in connection with Madhuban P.S. Case No. 355/2019 instituted for the offences under Sections 307, 34 of the Indian Penal Code and 27 of the Arms Act.

From bare perusal of the allegation as alleged in the FIR, it would manifest that on 25.11.2020, the informant was going to Tikam Chauk in the meantime four persons on two motorcycles came there and surrounded him and one person opened fire upon him and then all four persons fled away. The informant further alleged that he used to raised voice against wrong things.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR, informant in his re-



statement has disclosed the name of the petitioner. It is further submitted that informant in his re-statement, took the name of petitioner which is recorded at paragraph no.4 of the case diary further if the petitioner implicated the petitioner in his re-statement, it reflects that the informant was knowing about the petitioner but the fact that informant did not disclose the name of the petitioner in FIR, it shows that petitioner by way of afterthought came to be implicated in the re-statement by the informant that he did not know, who has committed offence. The petitioner is languishing in judicial custody since 31.12.2020 and charge sheet has been submitted in this case. The petitioner has got no criminal antecedent, which is mentioned in para 3 of the bail petition.

Learned APP for the State vehemently opposes the prayer for bail application of the petitioner and submits that in the impugned order, it is clear that in para no. 37 of the case diary, in his confessional statement the petitioner has admitted that one pistol with cartridge was recovered from his possession.

Considering the facts aforesaid, the petitioner, above named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, Motihari, East Champaran in
connection with Madhuban P.S. Case No. 355/2020.

Accordingly, this application stands allowed.

(Satyavrat Verma, J)

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