

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 32224 of 2020

Arising Out of PS Case No.-132 Year-2020 Thana- AMARPUR District- Banka

Rohit Kumar Singh, Male, aged about 35 years, Son of Sri Jawahar Singh,
Resident of Village-Kenduar, PS-Amarpur, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the State : Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 06-01-2021

Heard Mr. Shailendra Kumar Singh, learned counsel for the petitioner and Mr. Md. Arif, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner is in custody in connection with Amarpur (Fullidumar) PS Case No. 132 of 2020 dated 05.03.2020, instituted under Sections 399/402 of the Indian Penal Code and 25 (1-B) (a)/26/35 of The Arms Act, 1959.

3. The petitioner is alleged to have been one of the two persons who had called the two persons caught with illegal firearms and cartridges, for committing dacoity in UCO Bank.

4. Learned counsel for the petitioner submitted that he is innocent and runs a grille shop and only on the so-called



confessional statement of co-accused Praveen Kumar Singh has been made accused. It was submitted that because the said co-accused Praveen Kumar Singh has some dispute with regard to payment relating to some grille work which he had done, his name has also been taken. Learned counsel submitted that there is no recovery from him. It was further submitted that though the petitioner is accused in one more case but in that also there has been no recovery from him and he has also been granted bail in the same. Learned counsel submitted that the petitioner is in custody since 28.05.2020.

5. Learned APP submitted that the accused who was caught has taken the name of the petitioner as the person who had run away.

6. 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 learned Chief Judicial Magistrate, Banka in Amarpur (Fullidumar) PS Case No. 132 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.

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

(Ahsanuddin Amanullah, J.)

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