

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.38894 of 2020**

Arising Out of PS. Case No.-210 Year-2019 Thana- AMAS District- Gaya

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Raj Kumar Singh @ Shukla Jee Son of late Kishori Singh @ Late Kesho  
Singh Resident of Village- Mathurapur, P.S.- Sahar, District- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Mahendra Prasad Bhartee,Advocate

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

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

4      19-07-2021                      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. Lalan  
Kumar, learned APP for the State.

The petitioner in the present case is seeking regular bail in  
connection with Amas P.S. Case No. 210 of 2019 registered for the  
offences punishable under Section 120(B) of the Indian Penal Code  
and Section 10/13 of Unlawful Activities Prevention Act.

Learned counsel for the petitioner submits that the  
petitioner along with co-accused Shyamlal Paswan were arrested by  
police on an allegation that they were taking away about 10 boys to  
admit in the Naxal.

Learned counsel submits that when the petitioner was  
arrested with co-accused Shyamlal Paswan, neither any arms or



ammunition nor any kind of literature or pamphlet has been found from his possession which may suggest his involvement in Naxal activities. It is submitted that the petitioner is in custody in connection with this case since 11.11.2019, investigation against him is complete but the trial is not likely to take place in near future.

On the other hand, learned APP for the State has opposed the prayer for regular bail of the petitioner. It is submitted that the petitioner has got four criminal antecedents. Learned counsel for the petitioner at this stage submits that in fact out of four cases, in two cases he is on bail and in other two cases till date the petitioner has not been remanded but he has been made to give a confessional statement in police custody.

Having regard to the facts and circumstances of the case wherein this Court has been informed that the petitioner has not been arrested with any arms, ammunition or any literature suggesting the involvement of the petitioner in Naxal Activities and further that co-accused Shyamlal Paswan has been granted bail by a learned Co-ordinate Bench of this Court in Cri. Misc. No. 20611 of 2020, the petitioner is in custody for more than one and half year, investigation against him is complete but the trial is not likely to take place in near future, 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 A.C.J.M., Sherghati, Gaya in connection with



Amas P.S. Case No. 210 of 2019, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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.

The 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'.

