

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52549 of 2021

Arising Out of PS. Case No.-30 Year-2019 Thana- MOTIHARI RAIL P.S. District- West
Champaran

Arvind Singh, aged about 41 years, Male, son of Rameshwar Singh, Resident
of Village- Bairiya Deih, P.S.- Harsidhi, District- East Champaran,

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 22-09-2021 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the parties.

This application for regular bail arises out of Rail
Motihari P.S. Case No. 30 of 2019, registered for the offence
punishable under Sections 302/34 of the Indian Penal Code and
under Section 27 of the Arms Act.

The petitioner's prayer for regular bail was earlier
rejected by an order dated 20.01.2021 passed in Criminal
Miscellaneous No. 34025 of 2020. By making this application,
the petitioner has renewed his prayer for bail. The petitioner is
in custody since 24.02.2020.

Learned counsel appearing on behalf of the
petitioner has submitted that except confessional statement of
the petitioner made before the Police there is no material
evidence collected during the course of investigation. He has



further submitted that even charge has not been framed till date. In respect of criminal antecedent, learned counsel for the petitioner has submitted that petitioner has been acquitted in three other cases lodged against him. He has also submitted that co-accused namely, Raj Kishore Singh and Minku Singh have been allowed anticipatory bail by this Court by an order dated 20.07.2021 passed in Criminal Miscellaneous No.5247 of 2021.

Considering the aforesaid submissions, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Judicial Magistrate, Railway, Bettiah, West Champaran, in Rail Motihari P.S. Case No. 30 of 2019.

This is subject to the condition that the petitioner shall present himself before the Police / Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

P. Tiwari/-

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