

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.10879 of 2021**

Arising Out of PS. Case No.-142 Year-2020 Thana- CHAPRA MUFFASIL District- Saran

SATYA PRAKASH SINGH @ GODHAN S/O Akashabar Singh R/O Village
- Mehyan, P.S. - Chapra Mufassil, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

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

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

3 14-06-2021 At the outset, learned counsel for the petitioner has explained to this Court that in paragraph ‘3’ of the petition he has given the details of the cases against the petitioner and out of 11 cases, in 4 cases the petitioner has already been acquitted whereas in other 7 cases he has been granted bail. In this connection, it is submitted that in the petition the word ‘(B)’ stated in front of the description of the cases at serial no.(iv),(v), (vii), (viii), (ix), (x) and (xi) denotes the word ‘bail’. He has also pointed out that the statement in this regard has been made in paragraph ‘14’ of the application.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking regular



bail in connection with Chapra Muffasil P.S. Case No.142/2020 registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-b) a, 26,35 of the Arms Act.

Prosecution case in short is that on 29.03.2020 at 16.30 hours the informant got an information on his mobile that some miscreants have been planning in Newaji tola orchard to commit dacoity/loot. On receiving this information, the informant along with other police personnel reached at the given place and on seeing the police party 8-10 persons started fleeing away, however six of them were apprehended with the help of police force. On search, from the possession of one Satya Prakash Singh (petitioner) a country made pistol with three live cartridges were recovered and from the possession of one Ajay Kumar a knife was recovered.

Learned counsel submits that the petitioner is innocent and he has been falsely implicated in the present case. Learned counsel submits that no incriminating article has been recovered from the conscious possession of the petitioner. It is submitted that the petitioner has remained in jail in connection with the present case for one year three months.

Learned APP for the State has opposed the prayer for



regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that as per the allegations a country made loaded pistol has been recovered from the possession of the petitioner which was having three cartridges, however, the petitioner has remained in jail in connection with the present case for one year three months approximately and the investigation against him is complete, the trial is not likely to be concluded in near future, this Court directs release of the petitioner above named on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Saran at Chapra in connection with Chapra Muffasil P.S. Case No.142/2020, 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'.

