

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.3496 of 2021**

Arising Out of PS. Case No.-126 Year-2010 Thana- PATLIPUTRA District- Patna

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BINAY SINGH @ VINAY SINGH S/O LATE SUKHDEO SINGH R/O
VILLAGE-DHIMOY GOKHULPUR, P.S.-HARNAUT, DISTRICT-
NALANDA, AT PRESENT RESIDING BODY GUARD OF SATYA
NARAYAN SINGH EKAUNA KOTHI, NEPALI NAGAR PANCHWATI
COLONY, P.S.-SHASTRI NAGAR, DISTRICT-PATNA.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 16-07-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Patliputra P.S. Case No. 126 of 2010 registered

for the offences punishable under Sections 386/307/34 of the

Indian Penal Code, Section 27 of the Arms Act and Section ¾ of

the Explosive Substance Act.

As per the prosecution story, the informant was

getting some work done on his land situated at Keshri Nagar.



The F.I.R. named accused persons including this petitioner came there and demanded Rs. 10,00,000/- as extortion money to allow construction on the land. In the meantime Shailesh Kumar hurled bomb and Sunil Kumar and Neeraj Kumar made indiscriminate firing on the informant. On hearing the noise of firing and bomb blast nearby people gathered there and the accused persons fled away.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this Case. It is further submitted that the co-accused have been granted bail by learned co-ordinate Benches of this Court. Learned counsel submits that the petitioner is in custody since 25.06.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this Court has noticed from the materials on record that the anticipatory bail application of the petitioner was rejected on 05.07.2011 but he has surrendered in this case only on 25.06.2020. The trial court's report is showing that the record is pending for supply of police paper due to the pandemic the police paper has not been received by the accused or his



concerned counsel as yet. Since the petitioner was absconding for nine years in this case, this Court is not inclined to release him on bail at this stage.

Petitioner may renew his prayer for bail after six months from today if the charge is not framed for no reason attributable to the petitioner.

This application stands disposed of.

(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'.

