

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5178 of 2021

Arising Out of PS. Case No.-140 Year-2020 Thana- BELDOUR District- Khagaria

RAHUL SINGH @ RAHUL KUMAR SINGH @ KUMAR ABHISHEK Son
of Surendra Singh @ Shailendra Kumar Singh Resident of Soha, Ward No.-2,
P.S.-Sonbarsha, District-Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pancha Nand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 28-06-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Beldour P.S. Case No. 140 of 2020 registered under section 395 of the Indian Penal Code to which section 412 of the Indian Penal Code was added subsequently.

As per allegation in the F.I.R., it is stated by the informant that 5-6 unknown accused persons, on the point of pistol dispossessed the informant of his tractor as also the trailer along with the loaded iron rods.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. The name of the



petitioner transpired in course of investigation on the confessional statement of a co-accused Rahul Kumar Sah made before police. No incriminating article has been recovered from the person or possession of the petitioner. He has no criminal antecedent and is in custody since 8.6.2020.

It is further submitted by learned counsel for the petitioner that the petitioner is resident of village Soha, Ward no.2, Police Station Sonbarsa in the District of Saharsa. Although the same has correctly been mentioned in the Vakalatnama, a typographical error has occurred on page 1 where the district has inadvertently been mentioned as Bhagalpur instead of the correct District Saharsa.

Let the address of the petitioner be read as resident of District Saharsa instead of District Bhagalpur.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner being in custody for the last more than 1 year, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Beldour P.S. Case No. 140 of 2020 on furnishing bail bond of



Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, First Class, Khagaria.

Prakash/- **(Partha Sarthy, J)**

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