

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4756 of 2021

Arising Out of PS. Case No.-361 Year-2020 Thana- BIDUPUR District- Vaishali

BINOD SINGH Son of VIJAY SINGH Resident of Village - Khilwat, P.S. -
Bidupur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate.

For the Opposite Party/s : Mr. Shailendra Kumar 2, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-04-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Bidupur P.S. Case No. 361 of 2020 registered for the offence punishable under Sections 399, 402, 120(B) of the Indian Penal Code and 25 (1-b)a, 26, 35 of the Arms Act.

The prosecution story in short is that, acting on a tip of the information that several accused persons are assembled near the Vaishali Central School, when the informant alongwith



police force reached there, after seeing the police party miscreants tried to escape from the place on occurrence but anyhow five persons including the petitioner were apprehended. One loaded country made pistol and one live cartridge is said to have been recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. No such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent and has been languishing in custody since 17.09.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with



Bidupur P.S. Case No. 361 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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