

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7867 of 2021

Arising Out of PS. Case No.-183 Year-2019 Thana- DARAUNDA District- Siwan

Abhishek Singh @ Tufani Singh @ Tufani, aged about 27 years, Gender- Male, son of Awdhesh Singh, Resident of village- Dawan Chapra, Police Station- Daronda, District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Gaurav Kumar, Advocate
For the State : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 11-08-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

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

The petitioner seeks bail in Daronda PS Case No. 183 of 2019, instituted for the offence under Section 395 of the Indian Penal Code.

The informant alleges that the petitioner is involved in



loot of 80,000/- and motorcycle.

The learned counsel for the petitioner submits that based on the confessional statement of co-accused, Dhananjay Sah @ Dhanjay Sah, he has been roped in this case though he has no concern with the alleged occurrence. Implication is based on his criminal antecedents in five cases as per the details mentioned in paragraph No. 3 of the bail petition. He is on bail in all the five cases pending against him since before. In the instant case, he is in custody since 02.09.2020. The co-accused Dhananjay Sah @ Dhanjay Sah, who has stated the petitioner's name, in his confessional statement, has since been allowed bail in Cr. Misc. No.85630 of 2019 (Annexure-2).

The learned APP representing the State has opposed the prayer for bail. It is submitted that co-accused Dhananjay Sah @ Dhanjay Sah has stated the name of the petitioner and, therefore, having regard to the confessional statement of the co-accused, the petitioner may not be allowed the privilege of bail.

Considering the rival submissions, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Judicial Magistrate 1st Class, Siwan,** in connection with **Daronda PS Case No. 183**



of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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