

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3320 of 2022

Arising Out of PS. Case No.-340 Year-2021 Thana- PAROO District- Muzaffarpur

SANTOSH SINGH Son of Brij Kishore Singh @ Brij Kishore Singh Resident
of Village- Paharpur Ahlad @ Paharpur Chak Ahalad, P.S.- Sahebganj,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 02.09.2021, seeks
regular bail in connection with Paroo P.S. Case No. 340 of 2021
dated 31.08.2021 registered for offences punishable under
Sections 392, 414/34 of the Indian Penal Code and Section
25(1-b)a, 26, 35 of the Arms Act.

Prosecution story in brief is that one loaded country-
made pistol was recovered from the possession of the petitioner.
Petitioner was apprehended on the spot. Other co-accused
Dhiraj Kumar, who had snatched the mobile phone of the
informant succeeded in fleeing away.

Learned counsel appearing on behalf of the petitioner



submits that petitioner is innocent and has falsely been implicated in the present case. Other co-accused namely, Akash Kumar has already been released on bail by this Court vide order dated 13.05.2022 passed in Cr. Misc. No. 68283 of 2021. Petitioner has no criminal antecedent and he is in custody since 02.09.2021 as such he may be released on bail.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case as well as period of custody undergone by the petitioner and other co-accused has already been granted bail, the petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM IIIrd-cum- Sub Judge 3rd West Muzaffarpur in connection with Paroo P.S. Case No. 340 of 2021 dated 31.08.2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will loose its force automatically.

(vi) The petitioner will make his attendance before the concerned police station under which his house is located every fortnightly till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the police station shall submit his monthly attendance report to the Superintendent of Police having jurisdiction.

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

