

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27264 of 2021

Arising Out of PS. Case No.-655 Year-2020 Thana- PATRAKARNAGAR District- Patna

LABLU SINGH @ LABLU KUMAR SON OF LATE SHIVDEV SINGH
R/O RAGHOPUR EAST NEAR MIDDLE SCHOOL, P.S.- JURAWANPUR,
DIST.- VAISHALI (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uma Shankar Sharma, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 17-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of 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 16.10.2020 seeks
regular bail in connection with Patrakar Nagar P.S. Case No.
655 of 2020 dated 14.10.2020 registered for offences punishable
under Sections 399, 402 of the Indian Penal Code and Sections
25 (1-B)(a), 26 and 35 of the Arms Act.

Prosecution case in brief is that upon secret
information about commission of crime by some miscreants, a
team was constituted by the S.H.O. of *Patrakar Nagar* Police



Station, Kankarbagh as well as *Agamkuan* Police Station. When the team of the police reached near *Malahi Pakri* more than four persons on three motorcycles were found in suspicious condition and were got apprehended and disclosed their name as Praveen Kumar Singh, Lablu Singh (petitioner), Anish Kumar and Ashish Kumar from whose possession a country-made loaded pistol, several mobile phones, A.T.M. cards and motorcycle were recovered.

Learned counsel on behalf of the petitioner submits that no incriminating article has been recovered from the possession of the petitioner while the motorcycle bearing Registration No. BR01EB-8924 belongs to the petitioner. He further submits that petitioner is innocent and he is in custody since 16.10.2020.

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

Considering the facts and circumstances of the case, period of custody of the petitioner as well as no specific allegation of tempering the evidence or influencing the witnesses and no likelihood of trial being concluded in near future, the petitioner above named is directed to be enlarged 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 Chief Judicial Magistrate, Patna in connection with Patrakar Nagar P.S. Case No. 655 of 2020 with a condition that the petitioner will appear before the S.H.O. of the both the Police Station at 9 am and 10 am daily. In case of any default, the bail bond of the petitioner shall be cancelled.

The other conditions are as follows:

(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 tempers 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.

(Purnendu Singh, J)

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