

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28231 of 2021

Arising Out of PS. Case No.-312 Year-2018 Thana- JANDAHA District- Vaishali

=====

PINTU KUMAR SINGH @ SONU SINGH @ RAJESH KUMAR SINGH @
BABUA Son of Shiv Shankar Singh Resident of Village- Nun Golba, Police
Station- Mohiuddin Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh

For the Opposite Party/s : Mr. Bharat Lal

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 24-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Jandaha Police Station Case No. 312 of 2018, registered for the
offences punishable under Sections 396/397/120-B of the
Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as per the First Information
Report, is that two miscreants arrived near the shop of the
informant on a motorcycle and one of them entered into the
shop of the informant and on the point of gun, took away the
cash box of the shop and started fleeing away, but the staff of
the informant, working in the shop, chased the miscreants and
snatched the cash box from them and, then, the accused persons



fired several bullets from their pistols upon the staff, namely, Pankaj, and after that both the accused persons fled away with the cash box containing Rs. 40,000-50,000/-. It has further been stated that the staff of the informant succumbed to the injuries in course of treatment.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of the confessional statement of co-accused Rahul Kumar and the petitioner has not been put on Test Identification Parade.

On the other hand, learned Additional Public Prosecutor, referring to the contents of the case diary, submits that the petitioner is a history-sheeter and altogether seven criminal cases of similar nature of offence are pending against him. He further submits that the petitioner is an active member of the gang, which is involved in the offence of loot and/or some other serious crime relating thereto.

From perusal of the impugned order, it appears that while rejecting the bail application of the petitioner, the learned 11th Additional Sessions judge, Vaishali, at Hajipur, had arrived at the conclusion that the petitioner has got criminal antecedent of similar nature of offence and from the record of the case, it



appears that the petitioner is an active member of the gang, which is involved in committing loot or some others serious crime and if he is released on bail, the life and property of common people of the society will be at stake.

Having heard learned Counsel for the parties and taking into consideration the materials on record, I am not inclined to differ with the findings of the learned 11th Additional Sessions Judge, Vaishali, at Hajipur, and the fact that the petitioner is a hostory-sheeter involved in several criminal cases of similar nature of offence and the seriousness of the allegation levelled in the First Information Report, I am not inclined to grant regular bail to the petitioner, at this stage.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after one year from today, if the trial does not show any progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	T	T	√
---	---	---	---

