

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32950 of 2022

Arising Out of PS. Case No.-948 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

AMIT SINGH RAJPUT S/o Abhikant Singh Rajput R/o village- Mathurapur
Kabirchowk, Naka No. 6, P.S.- Darbhanga, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State,

through Virtual Court Proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Hajipur
Sadar P.S. Case No. 948 of 2021 registered for the offence under
Sections 399, 402 and 414 of the Indian Penal Code and Section
25 (1-b)a, 26 and 35 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 29.10.2021.

The allegation against the petitioner is to make a
preparation for commit dacoity and while making so, found in
possession of one country made pistol along with other co-



accused persons.

Learned counsel appearing on behalf of the petitioner submitted that nothing surfaced during course of investigation, which may suggest that this petitioner was under preparation to commit dacoity along with other co-accused persons. It is also submitted that prior to this occurrence, this petitioner was man of clean antecedent, as he subsequently named in one more criminal case. It is also submitted that false implication further get strength that seizure list is not supported by independent witnesses, rather supported by police personnel. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing for the State, opposed the prayer of bail.

Considering the facts and circumstances as mentioned above, as seizure list of alleged firearms appears doubtful on its face as not supported by independent witnesses coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Hajipur Sadar P.S. Case No. 948 of 2021 on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class, Vaishali at Hajipur concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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