

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62888 of 2021

Arising Out of PS. Case No.-226 Year-2020 Thana- BASANTPUR District- Siwan

ARVIND SINGH Son of Damodar Singh (Wrongly mentioned in the F.I.R. Son of Late Makeswar Singh), Resident of Village - Bithuna, P.S. - Basantpur, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-04-2022 Heard the parties through video conferencing.

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 30.04.2021, seeks regular bail in connection with Basantpur P.S. Case No. 226 of 2020 registered for offences punishable under Sections 341, 323, 385, 387, 504 and 506 of the Indian Penal Code.

Prosecution story in brief is that on 08.06.2020 at about 6:00 p.m., Arvind Singh (petitioner) came at the door of the informant and demanded Rs. 3,00,000/- from Indu Devi to be paid within four days otherwise informant would be shot dead. It is alleged that petitioner had assaulted the sister of the informant by means of *danda* as a result of which she had sustained injury on her hand. FIR is against unknown.

Learned counsel appearing on behalf of the petitioner



submits that petitioner is innocent and he has falsely been implicated in the present case. Petitioner has been roped in all the cases which he has referred in paragraph no.3 of the bail application on the basis of confessional statement. Petitioner is not named in any of the cases in the FIR as well as in the present case which is against unknown. Petitioner is in custody since 30.04.2021 as such he deserves to be released on bail on any condition imposed by this Court.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner. He submits that taking into consideration the number of similar nature of cases pending against the petitioner which as per the own statement of the petitioner in paragraph no.3 of the bail application, petitioner is involved in altogether twelve cases, it would not be in interest of the society or public to release the petitioner on bail as such the present bail application deserves to be dismissed.

Considering the rival submission made by the parties, at the outset, taking into consideration the number of cases pending against the petitioner which are almost all similar in nature, the petitioner is involved in committing offence under Section 341, 323, 385, 387, 504, 506 of the Indian Penal Code in the present case. The Court below is directed to verify the criminal antecedent of the present petitioner from the cases mentioned in paragraph



no.3 of the bail application and give its finding to the extent that the co-accused persons whose name has surfaced in course of investigation in the present case are associated with the petitioner in commission of offence in cases mentioned in paragraph no.3 of the bail application. In case petitioner is not associated with the accused persons who are accused named in the present case. 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 Additional Chief Judicial Magistrate – VIII, Siwan in connection with Basantpur P.S. Case No. 226 of 2020 on such terms and conditions as the Court below may deems it proper.

(Purnendu Singh, J)

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