

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71738 of 2021

Arising Out of PS. Case No.-285 Year-2020 Thana- BHANGWANPUR HAT District- Siwan

Rajneesh Kumar Singh, Son of Subash Singh, Resident of Village - Pipra,
P.S.- Sahajitpur, District - Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-05-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Bhagwanpur Hat P.S. Case No. 285 of 2020 registered for the offences punishable under Section 394 of the Indian Penal Code and Section 27 of the Arms Act. He is in custody since 28.08.2021. The petitioner has got four criminal antecedents.

Learned counsel for the petitioner submits that as per the prosecution story, while the informant was on way to home after withdrawing money from the Bank, three unknown miscreants dashed his motorcycle from behind and after stopping him fired on him which caused injury on his palm. It is alleged that the miscreants



took away his motorcycle bearing no. BR01BE 5077.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has been taken on remand in this case and thereafter he has been remanded in four other cases. The name of the petitioner has transpired in the confessional statement of co-accused and the motorcycle allegedly used in the offence is in the name of Nitesh Kumar @ Makai.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner is not named in the F.I.R., his name has transpired in the confessional statement of co-accused Laddu Singh after his arrest and interrogation in connection with Bhagwanpur Hat P.S. Case No. 318 of 2020 and further submission that the alleged motorcycle which was used in commission of crime has been found in the name of co-accused Nitesh Kumar @ Makai and further submission that prior to the present case petitioner had no criminal antecedent but after this case he has been taken on remand in four other cases which are stated in paragraph '3', the petitioner has remained in custody for about nine months, investigation against him is complete and his presence may also be secured in course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties



of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class Siwan, in connection with Bhagwanpur Hat P.S. Case No. 285 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

And further condition that henceforth once in every two months the petitioner shall mark his attendance before the S.H.O. of Sahajitpur police station in the District of Saran at Chapra and shall keep on furnishing his complete whereabouts and mobile number to the S.H.O. If he is required to go outside the jurisdiction of the police station in connection with any employment etc. then also he will furnish his address and other information to the S.H.O. Non-compliance with this condition shall be reported by the S.H.O. of Sahajitpur police station to the learned court below and steps shall be taken for cancellation of the bail of the petitioner.

The application stands allowed.



Let a copy of this order be sent to the Superintendent
of Police, Saran at Chapra for necessary instruction to the
S.H.O. of the concerned Police Station.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

