

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8855 of 2023**

Arising Out of PS. Case No.-730 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

Munna Kumar Singh @ Munna Singh Son of Late Nagendra Nath Singh R/v-
Khairwan, P.S.- Revilganj, District- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Ban Bihari Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 05-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
04.11.2022 in connection with Chapra Muffasil P.S. Case No.
730 of 2022, F.I.R. dated 06.10.2022 for the offences punishable
under Sections 394, 307/34 of the Indian Penal Code and
Section 27 of Arms Act.

According to prosecution case, three miscreants came
and one of them caught collar of one Rupesh Singh and fired
upon him due to which he sustained injuries on his left leg and
they looted Rs. 12,84,916/- from the drawer of the table and fled



away.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of the confessional statement of the co-accused person, namely, Kunal Singh. He further submits that nothing has been recovered from the possession of the petitioner rather the recovery has been made from the co-accused person and and till date no T.I.P. has been conducted by the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 04.11.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 730 of 2022, subject to the following conditions:-



1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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 step 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.

(Rajesh Kumar Verma, J)

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