

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22953 of 2023

Arising Out of PS. Case No.-318 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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RINKU SINGH @ RINKU KUMAR @ ABHAY NANDAN SINGH Son of
Jagat Narayan Singh Resident of Village - Tariyani Chhapra, P.S.- Tariyani
Chhapra, District - Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Vikram Singh, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 120B and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case which was instituted subsequent to the institution of the present F.I.R.

The informant alleges that Mantu Mishra, on orders of Vinita and Prabhakar, shot her husband who died.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is



next submitted that petitioner is not named in the F.I.R. and from perusal of the allegation as alleged in the F.I.R, it would manifest that the informant is not an eye witness to the occurrence and has specifically named the accused persons. It is further submitted that the F.I.R. does not even remotely suggest that apart from the named accused persons any unknown was also present. It is further submitted that name of the petitioner transpired in the confessional statement of Mantu Mishra who is alleged to have shot the husband of the informant on orders of Vinita and Prabhakar. The learned counsel for the petitioner, thus, submits that confessional statement in police custody does not have any evidentiary value, more so, when informant in the F.I.R, does not even remotely suggest that some unknown persons were also present along with the accused persons who committed the occurrence.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Motihari Town P.S. Case No. 318 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishabh/-

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