

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52497 of 2023

Arising Out of PS. Case No.-126 Year-2017 Thana- CHAKIA District- East Champaran

LAKSHMI SINGH @ LAKSHMI NARAYAN SING @ MUNNA Son of
Late Binda Singh Resident of village - Nankar Patahi, P.S. - Patahi, Distt. -
East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Chakia P.S. Case No. 126 of 2017 registered under Sections 414 and 120B of the Indian Penal Code and Section 25 (1-b)a and 26 of the Arms Act lodged on 16.06.2017 by the informant, Sanjay Kumar.

As per the prosecution story, on information that a person moving on a motorcycle intercepted Kumod Singh and from his possession a pistol and cartridge has been recovered/seized. He further confessed that this is being done at the instance of Laxmi Singh, who operated from jail.

It is the contention of the learned counsel for the



petitioner that the mobile that has been recovered/seized do not belong to him. Actually, accused, Komod Singh, who has, due to enmity, named him only because he has criminal antecedent. The said accused, Kumod Singh, has been granted bail. The petitioner is in jail since 22.12.2017 due to number of cases lodged against him.(as stated in paragraph-14 of the petition).

Learned APP for the State opposes the prayer for bail stating that he is the master mind.

Taking into account his period of custody, though he has criminal antecedent the person arrested is/was Kumod Singh and he has been granted bail, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Chakia P.S. Case NO. 126 of 2017, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month till the conclusion of the trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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