

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55191 of 2023

Arising Out of PS. Case No.-3 Year-2000 Thana- NAUGACHHIYA RAIL P.S. District-
Khagaria

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Jai Prakash Singh @ Japiya Mandal @ Jay Prakash Singh Son Of Fagu Prasad Singh @ Fagu Mandal Resident Of Village- Bhaganpura, Police Station- Kharik, District- Bhagalpur. At Present Village- Lauwa Lagan, Police Station Chousa, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 31-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 263/2023 arising out of Naugachia Rail P.S. Case No. 03 of 2000 dated 24.01.2000 registered for the offences punishable u/s 395 and 397 of the Indian Penal Code.

4. As per the prosecution case, 8-10 unknown miscreants entered the guard room and fired on C-80 Binod



Singh and Hawaldar Ruplal Lohar causing injuries. Later on, they looted 5 rifles and 125 round bullets and fled away.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up on mere suspicion. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 07.12.2006 passed in Cr. Misc. No. 47641 of 2006. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 15.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Khagaria in connection with Sessions Trial No. 263/2023 arising out of Naugachia Rail P.S. Case No. 03 of 2000.



8. The application stands allowed.

(Chandra Prakash Singh, J)

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