

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65057 of 2023

Arising Out of PS. Case No.-53 Year-2020 Thana- MATIHANI District- Begusarai

=====

VINAY SINGH S/o LATE UCHIT SINGH R/o vill - Sihma, Pach Khutti, P.S.
- Matihani, Distt. - Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Adv.
For the Opposite Party/s : Mrs. Pushpa Sinha, APP

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 03-11-2023 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks regular bail in connection with
Matihani P.S. Case No. 53 of 2020 dated 20.05.2020 registered
for the offence(s) punishable under Section(s) 414 read with
120(B) of the Indian Penal Code and under Sections 25(1-AA),
25(1-B)a,26 and 35 of Arms Act.

3. This is second attempt of the petitioner for the
relief of regular bail after the petitioner's earlier attempt for the
same relief was rejected by this Bench vide order dated
24.02.2023 passed in Cr. Misc. No. 54668 of 2022 preferred by
this petitioner.

4. The main submissions advanced by learned counsel
for the petitioner are that the petitioner is a 70 years old person



having fair and clean antecedent and in the order dated 24.02.2023 by which petitioner's earlier prayer for bail was rejected, he was given a liberty to renew his bail prayer after six months, if any progress in his trial is not made by the trial court and eventually no progress has been made in the petitioner's trial till date and simply his case has been committed to the Court of Sessions. Further submission is that petitioner has been languishing in custody since 24.06.2022 and so far the allegation is concerned, the alleged fire arms and ammunition are stated to have been recovered from petitioner's husk house situated at Diyara, which is an open place and it was very easy for anyone to plant the alleged fire arms and ammunition in the petitioner's husk house, at the time of alleged recovery.

5. Learned APP appearing for the State opposes the bail prayer.

6. Heard both the sides. Though against the petitioner there is serious allegation but considering his custody period and also status of trial of the petitioner, as appears from the report of the court concerned, which goes to show that petitioner's case has been committed to the Court of Sessions recently and petitioner's trial is at initial stage, in my opinion, in the said circumstances, the petitioner now deserves to the



privilege of bail. Accordingly, let the petitioner named-above be released on bail in connection with Matihani P.S. Case No. 53 of 2020 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

BKS/-

U		T	
---	--	---	--

