

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60620 of 2022

Arising Out of PS. Case No.-135 Year-2022 Thana- SISWAN District- Siwan

Ankit Kumar Singh @ Ankit Kumar @ Chotu Singh Son of Bharat Singh R/O
Village- Dhurghat, P.S.- Siswan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate.

Ms. Kumari Anupam, Advocate.

For the Opposite Party/s : Md. Mushtaque Alam, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 07-02-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Mr. Yogesh Chandra Verma, learned senior counsel for the petitioner duly assisted by Ms. Kumari Anupam, learned counsel and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Siswan P.S. Case No. 135 of 2022, registered for the offences punishable under Sections 25(i-b)a, 26, 35 of the Arms Act.

As per the prosecution case, it is alleged that the police on a secret information that the petitioner was found wandering along with one friend near Kachnar Gas Agency,



apprehended the petitioner, however, the another person who was also moving with the petitioner succeeded in fleeing away. On search one counter made pistol, one live cartilage, one blood stained knife, four screen touch mobile and a black color unregistered motorcycle have been recovered.

Learned senior counsel appearing on behalf of the petitioner submits that in fact on account of the past criminal antecedent, the petitioner was apprehended and the recovery has been shown from his possession, though nothing has been recovered from the possession of the petitioner. So far as the motorcycle is concerned, the same belongs to the petitioner. He next submits that so far the other cases are concerned the petitioner have already been allowed bail as has been mentioned in paragraph no.3 of the bail petition. He further submits that the petitioner is in custody since 18.06.2022, and he is ready to give undertaking that he will fully cooperate in the trial till its conclusion on his release.

On the other hand learned APP for the State vehemently opposes the bail application and submits that the recovery of incriminating material including the loaded country made pistol have been made from the conscious possession of the petitioner, apart from the fact that he is involved in five



other criminal cases.

Regard being had to the submissions made on behalf of the parties and considering the period of custody and the fact that he has already been allowed bail in all other cases, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Siwan, in connection with Siswan P.S. Case No. 135 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further direction that after release from the custody the petitioner shall mark his attendance on first week of every month in the office of the concern Superintendent of Police at least for nine months along with other conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates



without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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