

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65414 of 2023

Arising Out of PS. Case No.-179 Year-2023 Thana- JAMUI District- Jamui

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Babua Singh @ Abhijit Kumar Singh @ Baua Singh @ Abhijit Kumar Singh
Son Of Rajesh Kumar Singh @ Bikku Singh Village Mahisouri P S Jamui
District Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Jamui P.S. Case No. 179 of 2023 dated 20.03.2023 registered for the offences punishable u/ss 399 and 402 of the Indian Penal Code and u/s 25(1-B)A, 26 and 35 of the Arms Act.

3. As per the prosecution case, on secret information, some miscreants have assembled to commit a *dacoity*. A raid was conducted. Police apprehended five persons and the other 4-5 persons fled away from the spot. The apprehended persons disclosed the name of the petitioner. One stolen gas cylinder and sound box were recovered from the house of the petitioner.

4. Learned counsel for the petitioner has submitted that



the petitioner has falsely been implicated in this case. The name of the petitioner has sprung up in this case in the confessional statement of the co-accused namely, Mohammad Akram. Learned counsel has further submitted that recovery has been made from the house of the petitioner which are not stolen articles. The recovered articles were purchased by the brother of the petitioner as stated at Annexure-2. The petitioner has one criminal antecedent as stated at para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, 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 the learned court concerned, Jamui in connection with Jamui P.S. Case No. 179 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with further condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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