

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63785 of 2022**

Arising Out of PS. Case No.-50 Year-2020 Thana- CHAPRA MUFFASIL District- Saran

Abhishek Kumar Singh @ Abhishek Singh @ Abhishek Kumar Son Of  
Manoranjana Singh @ Munna Singh R/O Vill.- Sandha Khemaji Tola, P.S.-  
Chapra Muffasil, Distt.- Saran (CHAPRA)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

5      09-05-2023                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since  
16.09.2021 in connection with S.Tr.No.32 of 2022 arising out of  
Chapra Muffasil P.S. Case No. 50 of 2020, F.I.R. dated  
01.02.2020 registered for the offence punishable under Sections  
399,402,412 of IPC and Sections 25(1-b)a, 26,35 of the Arms  
Act.

The case relates to recovery of one country made  
Katts, one live cartridge besides two mobiles from possession  
of co-accused Balwant Singh and from possession of co-accused  
Surya Pratap Singh @ Dhanudhan Singh @ Suraj Kumar Singh,  
one knife of steel, from possession of co-accused Rajan Kumar,



one Pulsar motorcycle while from possession of co-accused Aditya Kumar Singh @ Chhotu Singh, one country made Katta, one live cartridge and Apache motorcycle.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of the disclosure made by co-accused, namely, Balwant Singh. Further submits that nothing has been recovered from conscious possession or the house of the petitioner and till date no TIP has been conducted by the prosecution and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 16.09.2021.

Vide order dated 28.02.2023, a report was called for with regard to the present status of the trial. Report of the learned Trial Court dated 13.03.2023 reveals that the charge has been framed against the petitioner on 20.04.2022 itself but till date, the prosecution has not examined any witness in the present case.

Learned counsel for the petitioner submits that in view of the report of the learned Trial Court that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 16.09.2021.

Learned APP for the State has opposed the prayer for



bail of the petitioner on the ground that the petitioner carries nine more cases other than the present one but fairly submits that out of nine cases, the petitioner has been acquitted in two cases by the learned court below itself and in six cases, the petitioner is on bail and rest one case is pending for consideration, as mentioned in para-3 of the bail petition.

Considering the aforesaid facts and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-7th, Chapra in connection with S.Tr.No.32 of 2022 arising out of Chapra Muffasil P.S. Case No. 50 of 2020, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Nitesh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

