

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70823 of 2022

Arising Out of PS. Case No.-106 Year-2021 Thana- RANIGANJ District- Araria

JANU SINGH @ RISHIKESH SINGH @ RITIKESH SINGH @ RITIKESH
KUMAR SINGH S/o Kavindra Narayan Singh @ Munna Singh R/o Village-
Parsagarhi, P.S.- Jadiya, Distt- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The present petition is by way of second attempt at the behest of the petitioner for grant of bail in connection with Raniganj P.S. Case No. 106 of 2021 for the offence registered under Section 392 of the Indian Penal Code and Sections 25(1-b)a, 26 and 27 of the Arms Act, inasmuch as the earlier petition filed by the petitioner had stood disposed off as not pressed, however, with liberty to the petitioner to renew his prayer for bail after framing of charge.

The case of the prosecution, in brief,



according to the informant, is that on 13.04.2021 at about 5:30 A.M. in the morning, four unknown miscreants had come to the petrol pump and had got filled petrol worth Rs. 1600/-, whereafter some altercation had taken place on account of the said miscreants not giving money for the petrol they had got filled, whereafter one of them had taken out a pistol from his waist and had fired on the informant but the bullet had missed him.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 07.06.2021. It is further submitted that though the petitioner is accused in five other cases but he is on bail in the said five cases. It is also submitted that neither any Test Identification Parade has been held so as to connect the petitioner with the alleged crime nor any illicit arms have been recovered from the petitioner and in fact the petitioner has been remanded in the present case after he was arrested in Forbesganj P.S. Case No. 275 of 2021.



Lastly, it is submitted that now the charges have also stood framed, hence no prejudice would be caused to the prosecution in case the petitioner is enlarged on bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also considering the fact that minuscule evidence is available on record qua the petitioner herein, though I deem it fit and proper to admit the petitioner to the privilege of bail, especially considering the fact that other similarly situated co-accused person has been granted bail by Co-ordinate Bench of this court, but subject to certain conditions, inasmuch as the petitioner is having a bad antecedent.

Accordingly, the petitioner, above named, is directed to 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 Chief Judicial Magistrate-V, Araria in connection with Raniganj P.S. Case No.



106 of 2021.

It is further directed that the petitioner would mark his attendance before the concerned Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week, starting from the day he is released from custody and in the event of his failure to do so on two consecutive occasion, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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