

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13261 of 2024

Arising Out of PS. Case No.-290 Year-2021 Thana- BASANTPUR District- Siwan

Nagmani Singh, aged about 36 years, Gender-Male, Son of Uday Narayan Singh, R/o Village- Dumari, P.S.- Khaira, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Basantpur P.S. Case No.290 of 2021 registered for the offence under Section 397 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, six unknown criminals armed with weapons entered into the shop of the informant and started looting away the articles kept on counter. It is also alleged that the miscreants fired upon the abdomen of the informant with close range due to which he became injured and after that they fled away with the looted articles.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner has falsely been implicated in this case. He next submits that no test identification parade has been held and except the confessional statement of the co-accused, no other cogent material has come during investigation against the petitioner and after investigation, the police submitted chargesheet against the petitioner and he is in custody since 27.07.2022. He next submits that similarly situated co-accused persons have already been granted bail by a Co-ordinate Benches of this Court passed in Cr. Misc. Nos. 58200 of 2022 and 11070 of 2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, be directed to be released on bail in connection with Basantpur P.S. Case No.290 of 2021 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Ajai Kumar Mishra, Judicial Magistrate, Ist Class, Siwan with following conditions:-

(i) Petitioner shall cooperate 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) 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.

(iii) 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 steps 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.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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