

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21041 of 2024

Arising Out of PS. Case No.-251 Year-2023 Thana- SISWAN District- Siwan

Subodh Singh @ Subodh Kumar Singh Son of Sushil Singh Resident of
Village- Piyaaur, P.S.- M.H. Nagar, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioner and

learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with

Siswan P.S. Case No. 251 of 2023 instituted for the

offences under Section 394 of the Indian Penal Code and

Section 27 of the Arms Act.

3. As per prosecution case, the allegation against

the accused persons including the petitioner is of being

involved in looting C.S.P. Bank and taking away Rs. 20,000-

22,000/- with them. It has been alleged that they also

opened fire due to which one Shabnam Khatoon sustained

gun shot injury on both of her thigh.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and his name has surfaced in this case on the basis of the confessional statement of co-accused Alok Singh. Except confession, nothing has come against the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. No T.I.P. has been conducted by the Investigating Officer. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has two criminal antecedents and is languishing in judicial custody since 31.10.2023 without any rhymes or reason. He has further submitted that the charge has been framed in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the co-accused Alok Singh has



confessed in his confessional statement that he along with the present petitioner has committed the incident. The petitioner has also two criminal antecedents. The offence alleged is serious in nature and, thus, the petitioner does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Siswan P.S. Case No. 251 of 2023, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The 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 in the event of failure on two consecutive



dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(iii) If the petitioner tampers with the evidence or the witnesses of the case by intimidating/pressurizing the witnesses during the investigation or trial, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Rudra Prakash Mishra, J)

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