

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54194 of 2024

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

Rajesh Singh @ Rajesh Kumar Singh, aged about 28 years, Male, Son of Shatrudhan Singh, Resident of Village- Rampur Khoram, P.S.- Marhowrah (Gaura O.P.), District- Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Basantpur P.S. Case No. 290 of 2021 registered for an offence punishable under Section 397 of the IPC and Section 27 of the Arms Act.

3. As per prosecution case, when the informant was at his shop, in the meantime, six unknown miscreants came there and looted several articles from his shop during course of dacoity, the accused persons shot fired upon the son of the informant.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to police



mechanism. He further submits that the name of the petitioner has been surfaced only on the basis of self confessional statement in another case and no recovery from the conscious possession of the petitioner. He next submits that the petitioner is not named in the FIR and he has not put on test identification parade. He next submits that similarly situated co-accused persons namely Rahul Singh has been granted bail by this Court passed in Cr. Misc. No.12919 of 2024 vide order dated 29.02.2024. Petitioner is remanded in this case from Baniyapur P.S. Case No. 279 of 2021 on 27.07.2022 and since then he is in judicial custody.

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

6. Considering the facts and circumstances of the case as well as the fact that similarly situated co-accused persons have already been granted bail by this Court, let the above named petitioner 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 Judicial Magistrate, Siwan in connection with Basantpur P.S. Case no. 290 of 2021, Subject to the condition as laid down under Section 437(3) of the Cr.P.C.

7. It is made clear that the petitioner shall physically



present before the trial Court on each and every date till
conclusion of the proceeding of the trial.

(Ramesh Chand Malviya, J)

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