

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55022 of 2024**

Arising Out of PS. Case No.-261 Year-2023 Thana- SHAMBHUGANJ District- Banka

Krishna Singh Son of Sumesh Kumar Singh R/O Mohalla- Rotara, Ward no.1,  
P.S.- Godda Nagar, Dist.- Godda, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Shambhuganj P.S. Case No. 261 of 2023 instituted for the offences under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the F.I.R., on the basis of secret information that some miscreants are assembled to commit dacoity, police raided the place. Seeing the police, the two accused persons succeeded in fleeing away including this petitioner. But on suspicion, police made search of the house of Fulendra Singh and apprehended eight persons who disclosed the name of the persons who fled away from the spot. It is further alleged that



various arms and ammunitions were recovered from the co-accused persons.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that petitioner was not apprehended on the spot, rather his name was disclosed by the apprehended co-accused persons. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.04.2024 and has three criminal antecedents. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, no recovery of arms and ammunitions from the conscious possession of the petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Shambhuganj P.S. Case No. 261 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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