

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59145 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- SINDHIYA District- Samastipur

Rohit Kumar Singh @ Golu Singh @ Rohit Kumar, Son of Ganesh Prasad Singh @ Ganesh Singh, R/O Vill.- Singhiya, Ward No. 2, P.s.- Singhiya, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Sinha, Advocate
		Mr. Shishir Kumar Shishir, Advocate
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-09-2024 Heard Mr. Binod Kumar Sinha, learned Advocate appearing on behalf of the petitioner and Mr. Satyendra Narayan Singh, learned Additional Public Prosecutor for the State.

2. The application for grant of bail to the petitioner who is in custody in connection with Singhiya P.S. Case No. 80 of 2024 registered for the offence punishable under Section 290 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. It is alleged that the police on the basis of a viral video on social media platform apprehended co-accused Monu Kumar Singh. On the disclosure made by co-accused Monu Kumar Singh, the police apprehended two other accused persons and from possession of co-accused Rishu Kumar one



country made pistol and mobile was recovered. The name of the petitioner has been disclosed by co-accused Monu Kumar Singh as one of his associate.

4. Learned Advocate appearing on behalf of the petitioner contended that save and except the disclosure made by co-accused Monu Kumar Singh, there is no material suggesting the involvement of the petitioner. So far co-accused Rishu Kumar is concerned, from whose possession the country made pistol was recovered, he has been allowed the privilege of regular bail by learned co-ordinate Bench of this Court in Criminal Misc. No. 48876 of 2024, the copy of which is placed on record vide Annexure 2 series. The learned Advocate for the petitioner further contended that now the petitioner has been incarcerated since 15.04.2024 and the investigation of the crime is complete and the chargesheet has been submitted.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposes the bail application and submits that the petitioner bears one criminal antecedent apart from his complicity in the present crime.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that the investigation of the crime is complete and the



chargesheet has been submitted, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, rosera, Dist. - Samastipur in connection with Singhiya P.S. Case No. 80 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in



terms of the above-mentioned order, shall not be delayed for this
purpose or in the name of verification.

(Harish Kumar, J)

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