

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72548 of 2024

Arising Out of PS. Case No.-150 Year-2022 Thana- KUNDWACHAINPUR District- East
Champaran

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Keshav Kumar Singh Son of Late Kanhaiya Singh @ Kanhaiya Kumar Mahto
Village- Singrahiya Ps -Ghorasahan District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.Iii
For the Opposite Party/s : Mr.Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 17-10-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a

case registered for the offence punishable under section

394 of the Indian Penal Code and Section 27 of Arms

Act.

3. As per FIR, the informant and his father

were returning to their house after closing shop, in the

meantime, three persons on one motorcycle overtook

them and started demanding bag from the informant

and when the informant raised objection, one of them

fired on the father of the informant due to which he sustained injury on his right thigh. Thereafter, accused persons pointed gun on the head of the informant and snatched bag containing Rs. 45,000/- and register. Thereafter, they fled from there from motorcycle after snatching bag.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of co-accused Aman Kumar. No looted article has been recovered from the conscious possession of the petitioner. The petitioner has not been put on TI parade. Moreover, the petitioner is languishing in judicial custody since 04.01.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case

as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kundwa Chainpur P.S. Case No. 150 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sikrahna at Dhaka, East Champaran, subject to the conditions that (i) one of the bailors will be the close family member of the petitioner (ii) petitioner will physically present on each and every date before the trial Court till framing of the charge.

(S. B. Pd. Singh, J)

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