

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77296 of 2023

Arising Out of PS. Case No.-224 Year-2023 Thana- SANGRAMPUR District- Munger

=====

ROHIT KUMAR SINGH @ SURAJ SINGH S/O RAJAN SINGH @ RAJAN
KUMAR SINGH RESIDENT OF VILLAGE-SUPOR JAMUNA, P.S.-
SANGRAMPUR, DISTRICT-MUNGER (BIHAR).

... .. Petitioner/s

Versus

The State of Bihar PATNA BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mrs. Soni Srivastava, Advocate Mr. Akshansh Ankit, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Ms. M.S. Moon, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 19-03-2024 Heard Mrs. Soni Srivastava, learned counsel for the petitioner and Mr. Jitendra Kumar Singh, learned APP for the State as also Ms. M.S. Moon, learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in connection with Sangrampur P.S. Case No. 224 of 2023 registered under Sections 457, 380 and 411 of the Indian Penal Code lodged on 23.07.2023 by the informant, Lalan Kumar Singh.

3. As per the prosecution story, the informant has alleged that in the mid-night of 22.07.2023, the licensee rifle in the name of the wife of the informant worth Rs. 70,000/- was stolen from the trunk and he has strong suspicion that Keshav



Kumar Singh, Harsh Kumar Singh, Chotu Singh, Rajnish Kumar Singh, Ritik Singh and others have committed the theft.

4. Subsequently, investigation took place, the named accused persons were apprehended and it is alleged that though Keshav Kumar Singh and Chotu Singh did not named this petitioner, Harsh Kumar Singh named him as one of the accompish. Accordingly, the FIR.

5. Learned counsel for the petitioner submits that he is not named in the First Information Report, his name has come in the confessional statement not by all the accused persons rather of Harsh Kumar Singh, the recovery of passport of the informant has been attributed to one Sanjit Kumar and the police has dragged him in this case only because he has criminal antecedent.

6. Learned counsel for the informant, on the other hand, submits that the informant has strong suspicion against the named accused persons and upon apprehended, one of the named accused persons confessed the name of the petitioner. He also has a criminal antecedent and as such, she opposes the prayer for bail.

7. Considering the submissions put forward by the parties, admittedly, the petitioner is not named in the FIR, the



host of accused persons were apprehended and it is the case that Keshav Kumar Singh and Chotu Singh did not name this petitioner rather his name has come in the confessional statement of Harsh Kumar Singh and there is a recovery of passport which is attributed to one Sanjit Kumar, this Court is inclined to grant him privilege of anticipatory bail.

8. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Munger in connection with Sangrampur P.S. Case No. 224 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Jagdish/-

U		T	
---	--	---	--

