

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5309 of 2019**

Arising Out of PS. Case No.-635 Year-2018 Thana- SIWAN CITY District- Siwan

Amrit Raj @ Ritik Singh aged about 21 years (M), Son of Umesh Singh, R/O of Village- Pinarthu Kala, P.S.- Daraunda, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Yogendra Kumar

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      31-01-2019

Heard learned Counsel for the petitioner and learned

APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as per the written report of S.I., Binod Kumar submitted to S.H.O., Siwan Town Police Station is to the effect that on 9.10.2018 at 3.50 A.M., a secret information was received that some miscreants have gathered below the over-bridge near the railway track and are planning for committing a robbery. Whereupon a raid was laid and five persons were found sitting and talking with each other. On seeing the police personnel, they started fleeing away and on chase being made four of them escaped from the scene and one



of them was apprehended, who disclosed his name as Bikku Singh and he further confessed the name of person who flee away as the petitioner and other co-accused persons. It is further alleged that from the possession of the apprehended person, one knife and a bottle of whisky was recovered and he confessed that they were planning to commit robbery.

It is submitted by learned counsel for the petitioner that there is no recovery from the possession of the petitioner and only on the basis of confession of the co-accused, Bikku Singh, the petitioner has been roped in the present case. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the name of the petitioner sprang up on the confessional statement of co-accused, Bikku Singh.

Considering the fact that the name of the petitioner sprang up on the confessional statement of the co-accused, Bikku Singh and no recovery has been made from the possession of the petitioner, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender



before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional Sessions Judge-II-cum-Special Judge, Excise, Siwan** in connection with **Siwan Town P.S. Case No 635 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

Deepak/Rahul/-

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