

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42893 of 2018**

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Chandan Singh @ Chandan Kumar Singh, S/o Baidhnath Singh, resident of  
village- Majhaur, P.S.- Nanpur, District- Sitamarhi.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ratneshwar Prasad, Advocate  
For the State : Mr. Nirmal Kumar Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**

ORAL ORDER

2      19-07-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner seeks pre-arrest bail in connection with  
Pupari P.S. Case No.167 of 2018 registered under Section 394 of  
the Indian Penal Code and Section 27 of the Arms Act.

It is submitted by the learned counsel for the petitioner  
that from perusal of the first information report it would be  
apparent that there was dispute between the informant and co-  
accused Shambhu Raut, a mechanic in respect of repairing of  
motorcycle. It is Shambhu Raut who told the informant to talk to  
the petitioner whereafter the informant had some talk. Even the  
identity of the petitioner is not established as his father's name has



also not been disclosed by the informant in the FIR. The cell phone on which hot talk was made does not belong to the petitioner. It is further submitted that the petitioner is resident of village Majhaur and co-accused Shambhu Raut is resident of village Harinagar which is five kilo meter away from his village and he has no concern either with Shambhu Raut or with the informant of the case. Lastly, it is contended that the petitioner has got no criminal antecedent and merely on hypothetical presumption and wild suspicion the police is chasing him.

On the other hand, learned counsel for the State submitted that the offence against the petitioner is serious in nature and the case is still under investigation and at least there is allegation that co-accused Shambhu Raut asked the informant to talk to the petitioner.

Having regard to the nature of allegation and the submissions made on behalf of the parties, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Pupari, Sitamarhi in connection with Pupari P.S. Case No.167 of 2018, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

**(Ashwani Kumar Singh, J)**

Md.S./-

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