

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75051 of 2018

Arising Out of PS. Case No.-167 Year-2018 Thana- BAKHARI District- Begusarai

Chandan Roy @ Chandan Mahto S/o late Naresh Roy@ Naresh Prasad Mahto
Resident of Village Khairedarha, P.S. Bakhri, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s : Mr. Sri Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Bakhari P.S. Case No. 167 of 2018 registered for the
offence punishable under Sections 147, 148, 149, 323, 307, 504,
506 of the Indian Penal Code read with Section 27 of Arms Act.

Informant has alleged in his written complaint that
while he along with his family were in their house, in the
meantime he heard sound of 3-4 round of firing coming from
the house of Chandan Rai (petitioner). It has been further
alleged that Chandan Rai (petitioner) and uncle of petitioner
boarded on a motorcycle and three unidentified miscreants on
another motorcycle went towards west after firing of 4-5 rounds
near his house and also abused. It has been further alleged that



Chandan Rai was involved in dealing of illegal arms and liquor and he was also associates of criminals.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to previous enmity and local politics in collusion with police. There is no specific allegation against petitioner, there is general and omnibus allegation against him. Similarly placed co-accused, namely, Sunil Roy has been granted anticipatory bail by this Hon'ble Court vide order dated 25.10.2018 passed in Cr. Misc. No. 64751 of 2018. Petitioner is in custody since 24.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. V cum Sub Judge-III, Begusarai, in connection with Bakhari P.S. Case No. 167 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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