

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16209 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- AIRPORT District- Patna

CHANDRABHUSAN KUMAR @ CHANDRA BHUSHAN KUMAR Son of
Mundrika Yadav Resident of Village - Painapur, P.S.- Bikram, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-03-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 28.1.2019 in a case registered for the offences punishable under Sections 341,323,353,332 and 379/34 of the I.P.C.

The prosecution case as per the written report of Constable Surendra Ram submitted to the SHO, Hawaii Adda Police Station is to the effect that during vehicle check, one Mahindra Bolero was intercepted but on demanding documents of the said vehicle, the driver of the vehicle failed to produce the documents. Thereafter, the driver was directed to deposit the fine and when he declined to pay the same, the vehicle in question was seized and was subsequently taken to the police station but on the way, three persons came on a motorcycle and got the vehicle released. It is further alleged that one person was apprehended who disclosed his name as Chandrabhushan Kumar, the petitioner.



It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the petitioner has been apprehended. It is further submitted that petitioner was neither the driver nor the owner of the vehicle in question. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner was apprehended by the police on chase.

Considering the fact that though the petitioner was apprehended on spot but no recovery was made from his possession, the period in custody, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named 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 the learned JM Ist Class, Patna in connection with Hawaii Adda P.S. Case No. 25 of 2019.

(Dinesh Kumar Singh, J)

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