

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.20628 of 2019**

Arising Out of PS. Case No.-112 Year-2018 Thana- BARAUNI District- Begusarai

CHANDAN KUMAR @ CHANDAN THAKUR Son of Sunil Thakur R/o  
village- Goura, P.S.- Teghra, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar, Advocate.

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA  
ORAL ORDER**

3      17-04-2019                      Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Sessions Trial No. 705 of 2018 arising out of Barauni P.S. Case No. 112 of 2018**, instituted for the offence under Section(s) 353, 307/34 of the Indian Penal Code, Sections 25(1-b)a, 26 and 35 of the Arms Act.

Prayer of the petitioner for grant of bail was earlier rejected by this Court vide order dated 5.10.2018 passed in Cr. Misc. 51980 of 2018 with liberty to the petitioner to renew his prayer for bail after framing of charge.

Report was called for from the court below which has been received. From the report it appears that charge has already been framed on 31.01.2019 and the case is at the stage of evidence. The court below has mentioned in the report that out



of six witnesses, only one has been examined. Six months time is likely to be taken in concluding the trial.

Counsel for the petitioner submits that petitioner is in custody since 28.3.2018.

It is alleged in the written report that two loaded country made pistols and three live cartridges have been recovered from possession of the petitioner. It is further alleged that one Motorcycle was also recovered from possession of the petitioner, for which, he could not produce a valid paper.

Keeping in view the period spent by the petitioner in custody and charge having been framed and there is no chance of early conclusion of the trial, prayer of the petitioner for grant of bail is allowed. 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 **learned Additional District & Sessions Judge 5<sup>th</sup>, Begusarai,** in connection with **Barauni P.S. Case No. 112 of 2018 (Sessions Trial No. 705 of 2018)**, subject to the condition that both the bailors will be the close relatives of the petitioner with further conditions which are as follows:

(i) Petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court (ii) In absence



on two consecutive dates without any valid reason, the bail bonds of the petitioner will liable to be cancelled and (iii) if petitioner tampers with the evidence or the witnesses of the case, in that event, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(Sanjay Priya, J)**

S.Ali/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

