

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25737 of 2019

Arising Out of PS. Case No.-15 Year-2018 Thana- GADHPURA District- Begusarai

CHANDAN KUMAR ROY, aged about 31 years, Male, S/O Arbind Roy @
Arbind Kumar Roy Resident of Village Rampur, P.S. Bakhri, District-
Begusarai ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Sada Nand Roy, Adv.
For the Opposite Party : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 01-05-2019 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
25.05.2018 in connection with Gadhpura P.S. Case No. 15 of
2018 for the offences alleged under Sections 307, 504, 506, 427
and 34 of the Indian Penal Code, under Section 27 of the Arms
Act and under Sections 3 and 4 of the Explosive Substances Act.

The prosecution case, as lodged by the informant, is
that six miscreants, in two motorcycles, came and exploded a
bomb near the farm house and also damaged his four wheeler.
The entire family of the informant are in a state of shock.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the first information
report and his name surfaced on the confessional statement
made before the police in another case being Gadhpura P.S.



Case No. 5 of 2018, which has no evidentiary value in the eye of law. He has no connection with the Lalu Rai gang and that charge sheet has already been submitted and the petitioner is languishing in judicial custody since nearly one year.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and one more case is pending against him.

Considering the nature of allegations, the period of custody and that charge sheet has already been submitted, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Gadhpura P.S. Case No. 15 of 2018 to the satisfaction of the learned Additional Chief Judicial Magistrate, IV, Begusarai, or the successor Court, subject to the following conditions :

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(ii) Petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail



cancellation of his bail bonds.

(iii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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