

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74128 of 2019

Arising Out of PS. Case No.-50 Year-2019 Thana- NARKATIYAGANJ RAIL P.S. District-
West Champaran

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Chandan Kumar, Son of Nandu Sah @ Mantu Sah, Resident of Pokhara
Chownk, Ward No. 16, Narkatiaganj, P.S.- Shikarpur, Distt - West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular bail
in connection with Narkatiaganj Rail P.S. Case No.50 of 2019
registered for the offence punishable under Section 401 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case.
Learned counsel submits that there is no recovery from the
conscious possession of the petitioner and he has been arrested
merely on suspicion.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case
wherein it is the submission of the petitioner that no offence had
actually been committed by him and he has been arrested only on



mere suspicion stating that one folding knife and Rs.60/- was recovered from his possession as also that the petitioner has been made accused in the present case immediately after a case lodged against him of similar nature and the petitioner is in custody since 11.06.2019, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Bettiah in connection with Narkatiaganj Rail P.S. Case No.50 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

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(Rajeev Ranjan Prasad, J)

