

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26007 of 2020

Arising Out of PS. Case No.-216 Year-2019 Thana- BHAGWANPUR District- Vaishali

CHANDAN KUMAR, aged about 21 years (M), Son of Shiv Mangal Ray,
Resident of Village- Rambhadra, P.S.- Hajipur Town, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Mukesh Kumar, Advocate.

For the Opposite Party : Mr. Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-11-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Section 392 of the I.P.C. in which charge sheet
has been submitted under Section 395 of the I.P.C.

The prosecution story, in brief, is that on the alleged
date and time of occurrence, informant Kundan Kumar Karn



was going to home from Patna, when he proceeded 1.5 K.M. ahead of Bhagwanpur Toll Plaza, four miscreants armed with weapons, surrounded him and robbed his Motorcycle bearing Registration No. BR-01DY-8644, other articles and cash Rs. 13,000/- on the gun point.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 13.12.2019. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired in the present case on the basis of confessional statement of co-accused Raja Kumar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Vaishali at Hajipur, in



connection with Bhagwanpur P.S. Case No. 216 of 2019.

(Sudhir Singh, J)

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