

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26171 of 2020

Arising Out of PS. Case No.-212 Year-2019 Thana- BHAGWANPUR District- Vaishali

Chandan Kumar, aged about 22 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.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 12-10-2020 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

The petitioner is in custody in connection with Bhagwanpur P.S. Case No. 212 of 2019 for the offence under Section 392 of the Indian Penal Code and after investigation charge sheet was submitted under Section 395 of the IPC also.

Learned counsel appearing on behalf of the petitioner would submit that the petitioner was remanded in the instant case on 12.12.2019 and since then he is in custody. The name of the petitioner surfaced in the confessional statement of co-accused and nothing was recovered from possession of the petitioner in the commission of crime.

Learned counsel appearing on behalf of the State would submit that it would not be appropriate to release the



petitioner as his release may adversely affect conduct of the fair election.

Considering the fact that the petitioner is in custody since 12.12.2019, the court of Additional Chief Judicial Magistrate-1, Vaishali at Hajipur is directed to release the petitioner on bail on appropriate terms and conditions after result of General Election in the State of Bihar is declared i.e. after 10th November, 2020.

With the aforesaid, the application stands disposed of.

(Anil Kumar Upadhyay, J)

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