

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26627 of 2020

Arising Out of PS. Case No.-16 Year-2020 Thana- DESARI District- Vaishali

CHANDAN PANDIT @ CHANDAN KUMAR Son of Devendra Pandit
Resident of Village- Kutubpur Cheehar, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-10-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Desari (Chandpura O.P.)

P.S. Case No. 16 of 2020, registered for the offence punishable

under Sections 399, 402 of the Indian Penal Code, sections

8/20(b)(ii)(B), 22/29 of the NDPS Act and sections 25(1-b)a, 26

and 35 of the Arms Act.

As per prosecution case, on 18.01.2020 at 14.45 hours

on secret information that some miscreants have assembled at

Ajampur Bagicha to commit loot at petrol pump, raid was

conducted and three persons were apprehended including this

petitioner. From possession of this petitioner two live cartridges



and one mobile was recovered.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Nothing has been recovered from possession of this petitioner. So far as Ganja is concerned, the same has been recovered from possession of co-accused Kundan Kumar which is apparent from the seizure list. Charge sheet has already been submitted. Petitioner is in custody since 19.01.2020.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, Vaishali in connection with Desari (Chandpura O.P.) P.S. Case No. 16 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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