

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26372 of 2020

Arising Out of PS. Case No.-483 Year-2019 Thana- CHIRAIYA District- East Champaran

SATYAM CHAUDHARY @ SERJAN S/o Umakant Choudhary R/o Village-
Telhara Kala, P.S.- Kundwa Chainpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar
For the Opposite Party/s : Mr.C.P. Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-10-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri C. P. Singh, the learned A. P. P. appearing for the State.

The petitioner seeks regular bail in connection with Chiraiya P.S. Case No. 483 of 2019 for the offence punishable under Section 395 of the Indian Penal Code and Section 27 of the Arms Act.

The case of the prosecution in brief is that while the informant had proceeded on the alleged date and time of occurrence for village Bheriahi along with cash amount of Rs. 2,35,000/- on his motorcycle and was 200 meter away from the said village, three miscreants on a motorcycle had come and



stopped the motorcycle of the informant, whereafter they had pushed the informant, resulting in the informant falling down from his motorcycle and then the miscreants had pointed pistol on the temple of the informant and had snatched a brown coloured bag containing the aforesaid cash amount, whereupon the miscreants had fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 04.02.2020. It is further submitted that the petitioner has been falsely implicated in the present case on account of his bad antecedent, although neither any cash amount has been recovered from his possession nor any test identification parade has been held so as to connect the petitioner with the alleged crime and he has been roped in the present case only on the basis of the confessional statement made by the co-accused person namely Jitendra Kumar. It is submitted that the petitioner is not named in the FIR.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that neither any



recovery has been made from the petitioner nor T.I. Parade has been held so as to connect the petitioner with the alleged crime and moreover, the petitioner is languishing in custody since 04.02.2020, I deem it fit and proper to direct for release of the petitioner on regular bail, however subject to certain conditions.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sikrahana At Dhaka, District East Champaran in connection with Chiraiya P.S. Case No. 483 of 2019.

It is further directed that the petitioner shall mark his attendance before the S.H.O. of the concerned police station at 10 A.M. on each and every Monday of the week and in the event of his failure to do so on two consecutive occasions, the present privilege of regular bail being granted to the petitioner herein shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

