

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27940 of 2020

Arising Out of PS. Case No.-6 Year-2020 Thana- BALIGAON District- Vaishali

CHANDAN KUMAR S/o Dinesh Paswan Resident of Village-Keshopur,
Ward no.08, P.S.-Sakra, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy Adv.

For the Opposite Party/s : Mr. Aslam Ansari APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 01-12-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Mr. Aslam Ansari, learned APP, is appearing as it is submitted that the brief has been allotted to him by the office of Advocate General. His name may also be printed in the cause list.

Heard learned counsel for the petitioner and learned APP for the State.

Learned counsel for the petitioner is expected to honor his



undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Baligaon P.S. Case no.06 of 2020 instituted for the offence under Section 392 of the I.P.C.

The motorcycle, identity Card, some other documents including mobile phone of the informant has been taken away on gun point by three unknown miscreants as per the prosecution case.

Petitioner's counsel submits that he is not named in the F.I.R. and based on confessional statement of co-accused Rahul Kumar, having no evidentiary value whatsoever, he is in custody since 24.04.2020. No T.I.P. has been conducted and there is no recovery of any incriminating material from the petitioner's possession. The petitioner has two criminal antecedents, as per the details mentioned in the paragraph no.3 of the bail petition. It is further submitted that one of the co-accused has been allowed bail in Cr. Misc. No. 28112 of 2020.

The learned APP has opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released 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 CJM Vaishali at Hajipur, in connection with Baligaon P.S. Case no. 06 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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