

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69499 of 2019

Arising Out of PS. Case No.-124 Year-2019 Thana- AMNAUR District- Saran

CHANDAN KUMAR, S/o Late Uma Shankar Singh, R/o Village-
Marhowrah Khurd Baishya Tola, P.S.- Marhowrah, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 17-06-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The matter has been taken up through virtual Court
proceeding.

The petitioner has preferred the present application for
grant of bail in a case registered for the offence punishable
under Section 392 of the I.P.C.

The prosecution case as per the written report of Mithilesh
Kumar submitted before the S.H.O., Amnour Police Station is to
the effect that on 10.05.2019, the mobile phone of the informant
was robbed by unknown person, leading to registration of the
present case against unknown. The name of the petitioner
sprang up on the basis of confession of co-accused, Raja Kumar.

It is submitted by learned counsel for the petitioner that



there is neither any recovery from the possession of the petitioner nor the petitioner has been put on Test Identification Parade. The petitioner is languishing in custody since 22.06.2019 and the investigation has already been concluded. Though a statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, but in paragraph no.6 of the petition, it has been mentioned that the petitioner has been remanded in the present case from Amnour P.S. Case No.130 of 2019. Hence, a supplementary affidavit has been filed on behalf of the petitioner stating therein at paragraph no.3 that the petitioner is accused in one other case, being Amnour P.S. Case No. 130 of 2019, but in that case, he is on bail.

Learned APP for the State submits that the name of the petitioner sprang up during investigation on the confessional statement of co-accused, Raja Kumar.

Considering the fact that the name of the petitioner sprang up on the basis of confessional statement of co-accused and the petitioner has not been put on Test Identification Parade, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned ACJM-II, Saran at



Chapra, in connection with Amnour P.S. Case No. 124 of 2019.

However, in view of the present pandemic, COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned ACJM-II, Saran at Chapra, in connection with Amnour P.S. Case No. 124 of 2019.

The learned Court below will further be at liberty to extend the period of provisional bail further if the court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

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