

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82359 of 2019

Arising Out of PS. Case No.-332 Year-2019 Thana- LALGANJ District- Vaishali

CHANDAN KUMAR S/o Shiv Mangal Ray R/o village- Rambhadra
(Ramchayra Mandir), P.S.- Hajipur Town, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-01-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 399, 402, 412, 413 and 414 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of Arms Act.

Informant who is a police officer has alleged in his written complaint that on 20.9.2019 on receipt of confidential information that some miscreants have assembled to commit some grave crime, he reached said place and saw 4-5 motorcycles and 7-8 miscreants present there in a suspicious circumstances who tried to flee away on seeing the police but miscreants including the petitioner were apprehended. From possession of co-accused, Raja Kumar, arms and ammunition were recovered and from possession of the petitioner, one knife and one motorcycle were recovered.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Petitioner is accused in one case instituted under Section SC/ST Act and is in custody since 29.09.2019. Similarly, situated co-accused persons, Shikhar Rai and Saurabh Kumar have already been granted bail vide order dated 09.01.2020 passed in Cr. Misc. No.84938 of 2019 and order dated 13.12.2019 passed in Cr. Misc. No.82936 of 2019 respectively.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Lalganj P.S. Case No. 332/2019 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) 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.

(S. Kumar, J)

Sanjay/-

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