

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13662 of 2021

Arising Out of PS. Case No.-711 Year-2019 Thana- KUDHNI District- Muzaffarpur

Chandan Kumar, aged about 26 years, (Male) son of RamKumar Rai,
Resident of Village- Turki, , Police Station- Kudhani, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Vijaya Laxmi Srivastwa Advocate
For the State : Ms. Meena Singh APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-08-2021 In view of the sudden resurgence of Covid-19 infection,

there is limited functioning of the High Court and, therefore, the

matter has been listed today for consideration through virtual

mode.

Learned counsel for the petitioner is expected to honour

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 to do so by the office.

Heard learned counsel for the petitioner and learned

counsel for the State.

The petitioner seeks bail in Kurhni PS Case No. 711 of

2019, instituted for the offence under Sections 392, 411, 413 of

the Indian Penal Code.

The informant alleges that the petitioner is involved in



loot of motorcycle, mobile phone, bag containing Rs. 25,000/- and parcel items worth Rs. 68,332/- from the delivery agent.

The learned counsel for the petitioner submits that the F.I.R. is lodged against unknown persons. In the investigation primary responsibility has given on co-accused Md. Arif. The said Md. Arif has been allowed bail in Cr. Misc. No. 2339 of 2020. One Chulbul Choudhary @ Vikash Kumar co-accused has also been granted bail vide Cr. Misc. No. 12462 of 2020. On account of the petitioner's criminal antecedents in four cases, as per statements made in paragraph No.3 of the bail petition, he has falsely been implicated in this case and he is in custody now since 09.07.2020. The submission is that there is no recovery of the stolen articles or cash to connect the petitioner with the alleged occurrence.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions, 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 learned **ACJM -1st-cum Sub-Judge, Muzaffarpur**, in connection with **Kurhni PS Case No. 711 of 2019**, 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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