

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16850 of 2021

Arising Out of PS. Case No.-359 Year-2019 Thana- TEGHRHA District- Begusarai

CHANDAN KUMAR Son of Shri Pramod Singh Resident of Village-
Gokhula, P.S.- Sikandra, District- Jamui, Bihar (811315)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandeep Kumar Gautam

For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-10-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 414, 420, 467, 468, 471 & 120B/34 of the Indian Penal Code, Section 66 (B) and 66 (C) of the I.T. Act.

Acting on a tip off, when the police party reached at the place of occurrence he found few persons on Bolero vehicle around the ATM Kiosk and they were arrested and some



incriminating materials were found.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Co-accused, namely, Vikash Kumar has been enlarged on bail by a co-ordinate bench of this court vide order dated 29.05.2020 passed in Cr. Misc. No.3839 of 2020. The petitioner has been languishing in custody since 15.10.2019.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Teghra P.S. Case No.359 of 2019, subject to the following conditions :

- (1) One of the bailors will be his own blood relative,



preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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