

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17887 of 2021**

Arising Out of PS. Case No.-375 Year-2020 Thana- PATORI District- Samastipur

CHANDAN KUMAR SINGH @ CHANDAN SINGH S/O SRI SHANKAR
SINGH R/o village- Rajpur, Jaunapur, P.S.- Mohanpur O.P. (Patori), District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kashyap, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-07-2021 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Patory (Mohanpur O.P.) P.S. Case No.375/2020
registered for the offences punishable under Section 412 of the
Indian Penal Code and Sections 25(1-b)(a)/27/35 of the Arms
Act.

As per the prosecution story, on 18.10.2020 at about
3.30 when the informant, A.S.I. Ranjeet Kumar Singh along
with other police personnel reached at Jalalpur he saw that some



people were unloading cow from a white colour pick up van and some people were sitting in a white colour Swift Desire which are standing nearby pickup van. It is alleged that on seeing the police party one of the accused tried to flee away but on chase he was caught. It is further alleged that on search one loaded country made pistol was recovered from co-accused Raj Kumar and petitioner was found sitting in the pickup van.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that except a mobile phone no other incriminating material has been recovered from the possession of the petitioner. It is submitted that the petitioner has no criminal antecedent and in connection with this case he is in custody since 18.10.2020.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein learned counsel for the petitioner submits that except a mobile phone no other incriminating material has been recovered from the possession of the petitioner, he has no criminal antecedent, in connection with this case he is in custody since 18.10.2020, investigation against him is complete



but the trial is not likely to be taken up in near future, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Samastipur in connection with Patory (Mohanpur O.P.) P.S. Case No.375/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of



bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

