

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24854 of 2021

Arising Out of PS. Case No.-326 Year-2020 Thana- BASOPATTI District- Madhubani

CHANDAN KUMAR @ CHANDAN KUMAR SAH aged about 30 years
son of Suresh Sah @ Suresh Prasad Gupta resident of village Basopatti ward
7 Police Station Basopatti and District Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 394 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, while the informant was returning to this house from the shop, three persons came on a motorcycle and fired on him and snatched his bag containing cash and ornaments.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner's name has figured during course of investigation in confessional statement of co-accused. Test Identification Parade has not been carried out till date. Petitioner has claimed clean antecedent and he is in custody since 23.12.2020. Investigation is complete.



Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate Ist class, Madhubani in Basopatti Police Station Case No. 326 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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