

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31799 of 2021

Arising Out of PS. Case No.-146 Year-2020 Thana- SABAUR District- Bhagalpur

Chandan Kumar S/O Ashok Mandal R/o village- Pakkisarai, P.S.- Ghogha
(Kahalgaon), District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Damodar Pd. Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 27-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sabour P.S. Case No. 146 of 2020, registered for the offence under Section 392 of the Indian Penal Code.

As per the prosecution case, the informant, who is driver of the tractor, was forcibly dispossessed with the tractor by three miscreants. It is also alleged that the miscreants took away cash of Rs. 3300/- and one mobile phone from the pocket of the informant.

Petitioner is not named in the FIR. Name of the petitioner transpired in the confessional statement of co-accused Gautam Kumar. Save & except this, there is no material against this petitioner. The stolen tractor has already been recovered from the door of co-accused Sunil Kumar, who has already been granted bail by a coordinate Bench of this Court, vide order



dated 13.07.2021 passed in Cr.Misc. No. 8451 of 2021. Till date, petitioner has not been put on T.I.Parade and he is in custody since 07.07.2020. Chargesheet has been submitted.

Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of accusation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned J.M.1st Class, Bhagalpur in connection with Sabour P.S. Case No. 146 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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