

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.33308 of 2021**

Arising Out of PS. Case No.-1052 Year-2019 Thana- NAGAR District- Vaishali

Chanchal Kumar @ Chanchal Sah @ Chanchal Kumar Sah Son of Late  
Ashok Sah @ Ashok Kumar Sah Resident of Mohalla- Ram Prasad Chowk,  
P.S.- Hajipur Town, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Sri P.K.Shahi, Sr.Adv.  
Mr.Ashok Kumar Mishra  
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

3. 07-10-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Sessions Trial No. 131/2020 + 1720/20, arising out of Hajipur Town P.S. Case No. 1052 of 2019, registered for the offence under Section 395 of the Indian Penal Code. Later on, Section 387 of the Indian Penal Code was added.

As per the prosecution case, 6-7 miscreants entered in branch of a Finance Company, of which, informant is Branch Manager and on the point of pistol, the informant and other employees were locked in a room and looted away 55.7 kg. of gold besides other articles.

Petitioner is not named in the FIR. Name of the petitioner has transpired in the confessional statement of co-accused Ashif @ Anshu Khan, who has already been granted bail by a coordinate Bench of this Court, vide order dated



25.03.2021 passed in Cr.Misc. No. 40946 of 2020. It is further submitted that so far as recovery of alleged Golden Chain from the possession of petitioner is concerned, that belongs to petitioner himself and moreover, the same (golden chain) has neither been put on T.I.P. nor identified by the informant. It is further submitted that this is an error of record that same has been identified by the witnesses. Petitioner is in custody since 10.01.2020. Chargesheet has been submitted.

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

Considering the aforesaid facts and circumstances as well as 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 Additional Sessions Judge – V, Vaishali at Hajipur in connection with Sessions Trial No. 131/2020 + 1720/20, arising out of Hajipur Town P.S. Case No. 1052 of 2019, 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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