

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40261 of 2021**

Arising Out of PS. Case No.-242 Year-2019 Thana- JHANJHARPUR District- Madhubani

CHANDESHWAR CHAUPAL @ CHANDE CHAUPAL Son of Late Manik
Chaupal Resident of Village - Sikariya, P.S.- Madhepur, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagandeo Yadav

For the Opposite Party/s : Mr. Pranav Kumar, APP

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

2 07-10-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 394/411 of the Indian Penal Code.

As per the prosecution case, on 21.10.2019 at about 8 PM the informant loaded banana on his pick up van and left for Muzaffarpur. However, in the night of 21/22.10.2019 at 1.30 AM the informant stopped at one Jhilmil Hotel and had eaten food and thereafter proceeded with his vehicle towards Muzaffarpur but on the way he was overtaken by a car and four persons alighted from the car and started hitting the vehicle with a stick resulting breakage of glass of the vehicle. One of the miscreants is alleged to have hit the informant on his hand by the stick, took the key of the vehicle, got down the informant



from the vehicle and fled away with the vehicle. It is further alleged that informant had recognized two of the four miscreants since they were sitting at Jhilmil Hotel where the informant had eaten his meal. It is also alleged that the informant had gone back to Jhilmil Hotel and obtained information from the staff regarding the said four persons, who were sitting there, whereupon he came to know that one of the said persons is the petitioner herein and the other person's name is Manjeet Kumar.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner. Similarly situated accused, Manjeet Kumar has already been granted anticipatory bail by a co-ordinate Bench of this court vide order dated 06.11.2020 passed in Cr. Misc. No. 14650/2020. Petitioner claims clean antecedent and is in custody since 25.11.2020 and investigation in this case is complete.

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

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Additional Chief Judicial Magistrate-I, Jhanjharpur, Madhubani in connection with Jhanjharpur (ASOP) PS case No. 242/2019 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)

BKS/-

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

