

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 39461 of 2020**

Arising Out of PS. Case No.-182 Year-2020 Thana- BAKHTIYARPUR District- Patna

CHANDU KUMAR Son of Ram Briksh Yadav Resident of Mohalla-
Kazichak, P.S.- Magadh Medical (Gaya), District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Yogesh Chandra Verma, Sr Advocate with Mr Sudhir Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr Shyameshwar Dayal, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 08-03-2021 Heard learned senior counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Bakhtiyapur Police Station (for brevity, *PS*) Case No 182 of 2020 instituted for the offence punishable under Sections 399, 402, 411, 412, 414, 420, 467, 468, 471 of Indian Penal Code and Sections 25 (1-B) a/26/35 of Arms Act.

On receiving secret information regarding assembly of certain anti social elements, the police party have reached near the Hotel on the Highway where two Scorpio vehicles were standing. Two persons were fleeing away out of which one has been apprehended and three persons have also been apprehended from the vehicle in question. The prosecution,



thereafter, alleges that on interrogation of one of the apprehended persons, namely, Sanni Bharti, stolen vehicle has been recovered from co-accused Arvind Kumar and petitioner is stated to be Driver of the said vehicle.

Learned senior counsel for the petitioner submits that, being driver, the petitioner was lending professional service to co-accused Arvind Kumar and has no connection with the illegal activities. He is in custody since 05.08.2020 without any allegation other than confessional statement of co-accused and his own confessional statement.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Barh, District - Patna in Bakhtiyarpur PS Case No 182 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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