

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1559 of 2021

Arising Out of PS. Case No.-28 Year-2020 Thana- RIGA District- Sitamarhi

CHANDAN KUMAR @ CHANDAN PANDIT Son of Ram Ekbal Pandit
Resident of Village - Babu Narha, P.S.- Bajpatti, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-04-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Section 394 of the Indian Penal Code.

Prosecution case, in brief, is that on the alleged date
and place of occurrence, when the informant was at his office,
three accused persons on one motorcycle came and two persons
entered into the office and looted Rs.25,000/-. On protest being
made by the consumer two rounds of firing was made and
thereafter they fled away from the place of occurrence.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner is not named in the
FIR. On the confessional statement of co-accused namely
Sidharth Kumar Singh, the petitioner has been made accused in



this case. There is no any incriminating articles has been recovered from the conscious possession of the petitioner. There is no T.I. Parade till date. The petitioner was arrested by the police in connection with Riga P.S. Case No. 32/2020 and from that case, the petitioner was remanded in the present case without any cogent or convincing evidence. The petitioner is languishing in judicial custody since 05.03.2020.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Riga P.S. Case No. 28/2020 to the satisfaction of learned Court below where the case is pending; subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of



failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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