

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1462 of 2021

Arising Out of PS. Case No.-31 Year-2020 Thana- BAJPATTI 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. Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects within four weeks of resumption of normal
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Section 392 of the Indian Penal Code.

While the informant along with his nephew after
withdrawing a sum of Rs.98,700/- proceeded from Bajpatti by
his motorcycle and when he reached towards 50 yards east from
Shiv Temple near Sadhwara Charki, then three motorcycle



borne miscreants intercepted his motorcycle and are said to have snatched the bag containing the money on the point of pistol and his mobile phone. Thereafter, the miscreants managed to escape from the place of occurrence.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. No test identification parade has been conducted. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring his confessional statement which has no evidentiary value in the eye of law. The petitioner has been languishing in custody since 18.06.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after framing of charge**, and on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount



each to the satisfaction of the learned Sub-divisional Judicial
Magistrate, Pupri, Sitamarhi in connection with Bajpatti P.S.
Case No.31 of 2020.

(Anjani Kumar Sharan, J)

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