

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7866 of 2021

Arising Out of PS. Case No.-264 Year-2019 Thana- LALGANJ District- Vaishali

Chandan Rai, aged about 26 years, male, Son of Naval Ray @ Nawal Kishor Rai R/O Village- Sarariya, P.S.- Lalganj, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 08-09-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in Lalganj PS Case No. 264 of 2019, instituted for the offence under Sections 341, 323, 379, 364, 342, 307, 504 and 506/34 of the Indian Penal Code.

It is alleged that petitioner along with three other persons



and 3 to 4 unknown persons have stopped the informant while he was on way at *Lalganj Bazzar*. They have looted his golden chain, cash on the point of weapon and taken him to a lonely place and confined him. It is alleged that the victim's brother came to know about the said incidence, whereafter, the victim has been abandoned and the accused persons, including the petitioner have fled away.

Petitioner's counsel submits that the petitioner was subsequently remanded from *Lalganj P.S.* Case No. 445 of 2019. There is no recovery to connect the petitioner with the instant occurrence. Even the Test Identification Parade has not been conducted. On account of his implication in five cases, prior to the instant case, the name of petitioner has been dragged in this case. He is in custody since 26.06.2020. He was not arrested at the spot from where the victim has allegedly fled away.

Earlier, this Court had requisitioned report regarding the stage of trial. On 17.08.2021, the Court concerned has reported that the case is still pending for commitment.

The learned APP representing the State has opposed the prayer for bail. It is submitted that petitioner is one of the named accused persons.



Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. 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 the learned Additional Chief Judicial Magistrate-1st, Vaishali at Hajipur, in connection with Lalganj P.S. Case No. 264 of 2019, 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.

(Madhuresh Prasad, J)

shyambihari/-

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

