

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9453 of 2021**

Arising Out of PS. Case No.-278 Year-2020 Thana- RAJGIR District- Nalanda

Chandan Kumar Son Of Saroj Singh @ Saroj Ram Resident Of Village-  
Nekpur, P.S.- Chhabilapur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Ajay Kumar No. 2

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      12-07-2021      Heard learned counsel for the petitioner and learned A.P.P. for  
the State through virtual court proceeding.

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 connection with Rajgir P.S. Case  
No. 278 of 2020 registered for the offence punishable under Section  
414 of the Indian Penal Code.

As per the prosecution case allegation against the petitioner is  
that he with other co-accused persons were involved in theft of  
motorcycles. It is alleged that while patrolling informant got secret  
information about the said occurrence of theft near *Rajgir* bus stand,  
informant reached there and apprehended the petitioner.

It is submitted by learned counsel for the petitioner that



petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. No incriminating article has been recovered from his conscious physical possession. He submits that, in fact, confession has been recorded by the police when petitioner was handed over by the villagers to the police as such alleged confession has been recorded in custody which has got no evidentiary value. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has one criminal antecedent as has been mentioned in para 3 of this bail application in which he has been granted bail and he has been languishing in custody since 23.08.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, 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 court below where the case is pending in connection with Rajgir P.S. Case No. 278 of 2020 subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other



case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the 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 and when so required and in the case of failure, the State shall be at liberty to move for cancellation of bail.

**(Anjani Kumar Sharan, J)**

GAURAV S./-

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