

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8779 of 2022**

Arising Out of PS. Case No.-526 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

CHANDAN KUMAR SINGH Son of Abdhesh Kumar Singh Resident of
Village - Thathan Bujurg, P.s.- Sadar (Town), Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhas Ranjan, Adv.
For the Opposite Party/s : Mr. Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 26-07-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 302 and 394 of the Indian Penal
Code and Section 27 of the Arms Act.

According to the prosecution, the son of the
informant has been shot dead by the miscreants while he
was returning from his office and the miscreant have also
taken away the motorcycle of the deceased.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that the
petitioner has not been named in the F.I.R. but merely on the
basis of confessional statement of the co-accused, Suraj Patel



and Sanjay Kumar Paswan, he has been made accused in this case. In fact, nothing has been recovered from the conscious possession of the petitioner. Save and except the confession of the co-accused persons, no cogent material has surfaced against the petitioner during course of investigation. He further submits that similarly situated co-accused, namely, Suraj Kumar @ Suraj Paswan and Amresh Kumar Singh have already been granted bail by different co-ordinate Benches of this Court vide order dated 18.07.2022 and 25.07.2022 passed in Cr. Misc. No. 16193 of 2022 and Cr. Misc. No. 12113 of 2022, respectively. The petitioner is rotting in judicial custody since 30.09.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Court below where the case is pending in connection with Hajipur (Sadar) P.S. Case No. 526 of 2021 with the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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