

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31334 of 2021

Arising Out of PS. Case No.-135 Year-2020 Thana- PIPRA District- East Champaran

CHANDAN CHAUDHARY S/O ARUN CHAUDHARY R/o village-
Bishunpura, P.S.- Baruraj, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Adv.

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 07-02-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Pipra P.S. Case No. 135 of 2020 registered for the offence under Sections 392 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

Some unknown miscreants are said to have committed robbery in the Customer Service Point of State Bank of India and taken away Rs. 40,000/- along with important documents including ATM cards.

Learned counsel appearing for the petitioner submits



that the petitioner is innocent and has falsely been implicated in this case. He further submits the petitioner has been made accused on the basis of confessional statement of the co-accused, Mani Kumar @ Mani Singh. He also submits that neither anything incriminating has been recovered from the conscious possession of the petitioner nor he has been put on T.I.P. by the prosecution as yet. Moreover, the co-accused, namely, Rahul Kumar and Anil Kumar Singh have already been granted bail by a co-ordinate Bench of this Court vide order dated 21.08.2021 and 14.12.2021 passed in Cr. Misc. No. 30402 of 2021 and Cr. Misc. No. 30733 of 2021, respectively. More so other co-accused, namely, Babul Kumar @ Bablu Kumar and Ratnesh Pandey @ Pintu have also been granted bail by this Court vide order dated 21.01.2022 and 27.01.2022 passed in Cr. Misc. No. 39956 of 2021 and Cr. Misc. No. 56212 of 2021, respectively. The petitioner is rotting in judicial custody since 24.12.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four 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 Chief Judicial Magistrate, East Champaran in connection with Pipra P.S. Case



No. 135 of 2020 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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