

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21651 of 2022

Arising Out of PS. Case No.-29 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

=====

CHANDAN KUMAR Son of Nakul Mahto Resident of Village - Panchi,
Police Station - Shekhopur Sarai, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Nirmala Kumari

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 26-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with
Sheikhopur Sarai P.S. Case No. 29 of 2021 registered for the
offences punishable under Sections 406, 420, 467, 468, 471,
120(B)/34 of the Indian Penal Code.

As per prosecution case, informant got secret
information that some people use to commit crime through
mobile. It is further alleged that informant and other police
official reached near Bichli Payne of Panchi Village and upon
seeing the police, the accused persons fled away, but one of



them was apprehended. Upon interrogation, the apprehended person disclosed his name as Swatnil Santosh Prasad (co-accused) and search was made then three mobiles, three ATM cards and other items were recovered from the possession of the apprehended co-accused. Co-accused Swatnil further disclosed the name of absconding persons in which petitioner is one of them.

Learned counsel for the petitioner submits that petitioner is in custody since 25.02.2022. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing has been seized or recovered from the possession of the petitioner. His name has been surfaced on account of confessional statement of co-accused except the confessional statement of co-accused nothing is against the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, nature of allegation, keeping in view the clean antecedent of the petitioner, charge-sheet has already been submitted and there is no likelihood of tampering



with the prosecution evidence, and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhopur Sarai P.S. Case No. 29 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

amitkr/-

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

