

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.38505 of 2021**

Arising Out of PS. Case No.-1150 Year-2018 Thana- SONEPUR District- Saran

Chandan Kumar, S/O Baban Paswan, R/O Village-Rambhadra, Ps Town
Hajipur, District-Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.II, Advocate

For the Opposite Party/s : Ms.Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 31-01-2022 Heard learned counsel for the petitioner and Ms. Rita
Verma, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Sonpur P.S. Case No. 1150 of 2018 registered for the offences punishable under Section 394 of the Indian Penal Code and later on Section 412 of the I.P.C. was added. He is in custody since 15.06.2020 having two criminal antecedents as stated in paragraph '3' of the application.

Learned counsel for the petitioner submits that the name of the petitioner has transpired in the confessional statement of the co-accused, the co-accused similarly situated have been granted bail by two learned coordinate Benches of this court vide Annexure 2 & 3 respectively. It is further submitted that the petitioner has not been put on Test



Identification Parade and further there is no recovery of any incriminating article from his possession.

Learned counsel submits that in connection with this case the petitioner has remained in custody for over one and half year. It is his further submission that if released on bail the petitioner shall abide by the terms and conditions and shall put his appearance in course of trial on each and every date.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner but considering that in this case the name of the petitioner has come in the confessional statement of the co-accused and he has remained in custody for over one and half year, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Sri Chandrabosh Kumar Singh, Judicial Magistrate - 1st Class, Saran at Chapra in connection with Sonpur P.S. Case No. 1150 of 2018, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

And Further condition that henceforth till conclusion of trial in the present case the petitioner shall mark his attendance at least once in every two months before the S.H.O. of Hajipur Town Police Station within whose jurisdiction he is residing and shall keep on furnishing his complete whereabouts and mobile number etc. to the S.H.O. If he is required to go outside the jurisdiction of the police station in connection with any employment etc. then also he will furnish his address and other information to the S.H.O. Breach of this condition shall be taken as a ground for cancellation of bail of the petitioner and the S.H.O. shall bring it to the notice of learned court below for further action.

Let a copy of this order be also sent to the Superintendent of Police, Vaishali for necessary action.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

