

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39784 of 2021

Arising Out of PS. Case No.-275 Year-2020 Thana- GORAUL District- Vaishali

CHANDAN KUMAR Son of Krishna Baitha @ Kishun Baitha Resident of
Village- Nawachak, Police Station- Patepur in the District of Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 29-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 06.03.2021, seeks
regular bail in connection with Goraul P.S. Case No. 275 of
2020 registered for offences punishable under Section 392 of the
Indian Penal Code.

Allegation against the petitioner along with other
accused persons is said to have looted Rs.80,000/- from the
informant.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and has falsely been



implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and his named has surfaced merely on suspicion. No incriminating article was recovered from the conscious possession of the petitioner. The petitioner is languishing in judicial custody since 06.03.2021. The petitioner has got 02 criminal antecedents which is mentioned in para 3 of the bail petition. He further submits that similarly situated one co-accused, Md. Yasin, has already been enlarged on bail vide order dated 13.09.2021 passed in Cr. Misc. 28373 of 2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner. He submits that petitioner is a habitual offender and he is engaged in committing robbery.

Considering the facts and circumstances of the case, petitioner is in custody since 06.03.2021 and other co-accused, Md. Yasin, has already been enlarged on bail vide order dated 13.09.2021 passed in Cr. Misc. 28373 of 2021, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Goraul P.S. Case No. 275 of 2020 with a condition that he will tender his attendance on every Saturday at



9 a.m. to the local Police Station till conclusion of the trial and the S.H.O. of the said Police Station is directed to submit the monthly report of the attendance to the S.P. having jurisdiction and on single default, the bail bond of the petitioner shall be cancelled. The other conditions are as follows:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(Purnendu Singh, J)

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