

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46382 of 2021**

Arising Out of PS. Case No.-19 Year-2021 Thana- KHODAWANDPUR District- Begusarai

CHANDAN KUMAR S/o SHIV NANDAN MAHTO R/o VILLAGE AND  
POLICE STATION-KHODAWANDPUR, DISTRICT-BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Ajit Kumar, APP.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      16-02-2022                      Heard the parties through video conferencing.

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

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

The petitioner, who is in custody since 12.03.2021,  
seeks regular bail in connection with Khodawandpur P.S. Case  
No. 19 of 2021 for the offence punishable under Sections 392 of  
the Indian Penal Code.

The prosecution case, in brief, is that while the  
informant was going to his in-laws house by his Alto car bearing  
Registration No. BR09AG 5140, four miscreants possessed with  
arms stepped down from a car and stopped the car of the



informant and assaulted him with fist and slaps and snatched his mobile phone bearing SIM No. 7050440900, Rs.40,000/- cash and key of his car and they fled away throwing the key of the car.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Sumit Kumar which has no evidentiary value in the eye of law. Neither any incriminating article has been recovered from conscious possession of the petitioner nor he has been put on T.I. Parade. Chargesheet has been submitted against the petitioner. Petitioner has clean antecedent and he is in custody since 12.03.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, period of custody undergone by the petitioner, name of the petitioner has surfaced in the case on the basis of confessional statement of co-accused, neither any incriminating article has been recovered from conscious possession of the petitioner nor he has been put on T.I.P., the



petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Manjhaul, Begusarai in connection with Khodawandpur P.S. Case No. 19 of 2021, subject to the following conditions:-

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

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

(3) 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

**(Purnendu Singh, J)**

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