

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 41818 of 2022

Arising Out of PS. Case No.-729 Year-2021 Thana- NAGAR District- Vaishali

Chandan Kumar S/O Vilas Paswan @ Ram Vilas Paswan Resident of Village-
Madhurapur, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-12-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Hazipur Town P.S. Case No. 729 of 2021 lodged under Section
393 of I.P.C. and 27 Arms Act.

As per the prosecution case, allegation of robbery is
against the 3 unknown accused persons.

Learned counsel for the petitioner submits that
petitioner has been not named in the F.I.R. and his name has
been figured by the informants re-statement at later stage. He
submits that nothing incriminating has been recovered from
petitioner's possession. Learned counsel for the petitioner

submits that petitioner is in custody since 27.01.2022 and there is one criminal case pending against him in which he is on bail.

Learned counsel for the State submits that suppression has been made by the petitioner and there are actually 4 criminal cases pending against the petitioner in response thereof counsel for the petitioner submits that out of those 4 cases, in 1 case he has been remanded and in rest 3 cases he has not been remanded. In this regard, counsel for petitioner submits that in paragraph-12 of the petition it has been categorically stated that in those cases, petitioner's name is there but remand has not been made. It is due to this reason no information and no further action has been taken by the petitioner in those cases.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali, Hazipur in connection with Hazipur Town P.S. Case No. 729 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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