

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42091 of 2022

Arising Out of PS. Case No.-270 Year-2018 Thana- MASHRAK District- Saran

CHANDAN SINGH @ CHANDAN KUMAR S/O SURESH SINGH
Resident of Village- Gopalpur, P.S.- Basantpur (Lakadi Naviganj O.P.),
District- Siwan (Bihar)

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 20-10-2022 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
Mashrakh P.S. Case No. 270 of 2018 consequent to G.R. No
7165 of 2018 registered for the offences punishable under
Section 413 and 414 of the Indian Penal Code .

As per prosecution case, apprehended co-accused
was going to sell the stolen motorcycle to the present petitioner
and when searched was made upon the house of the petitioner,
petitioner was not found at his house.

Learned counsel for the petitioner submits that



petitioner is in custody since 29.04.2022 and bears criminal antecedent of three cases. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that nothing has been recovered from the conscious possession of the petitioner or from his house. Petitioner has no concern with other accused persons and stolen motorcycles.

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, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Saran at Chapra in connection with Mashakh P.S. Case No. 270 of 2018, 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)

vashudha/-

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