

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56261 of 2021

Arising Out of PS. Case No.-514 Year-2020 Thana- KESARIA District- East Champaran

Chandeshwar Rai Son Of Jagarnath Ray R/O Village- Bangra, Madhopur
Hazari, P. S.- Sahebganj, District- Muzaffarpur (BUT In Order Sheet Wrongly
Type As East Champaran)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-04-2022 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The present application has been filed on behalf of the
petitioner, above named, for grant of regular bail to the
petitioner who has been made accused and put behind the bars
in connection with Keshariya P. S. Case No. 514 of 2020
registered for the offence punishable under Section 392 of the
Indian Penal Code.

The prosecution case as alleged in the F.I.R. is that
three unknown miscreants looted the informant on gunpoint and
fled away with cash amount, Aadhar Card and licence from him.

It is submitted by the learned counsel for the
petitioner that the name of the petitioner has come on the



confessional statement of co-accused, namely, Arun Sahni and thereafter, the petitioner has been remanded in this case on 03.06.2021 from Sahebganj P. S. Case No. 14 of 2021 registered for the offences punishable under Sections 25 (1-b)a, 26, 35 of the Arms Act. It is next submitted that till date neither T.I.P. has been conducted nor any recovery has been made from possession of this petitioner. Furthermore, the charge-sheet has already been submitted and this petitioner is in custody since 30.06.2021.

Learned counsel for the petitioner lastly submits that the co-accused, on whose confessional statement the name of the petitioner has come, has also been granted bail by co-ordinate bench of this Hon'ble Court in Cr. Misc. No. 42833 of 2021 vide order dated 14.02.2022.

On the other hand, learned APP for the State opposes the bail application of this petitioner.

Having considered the materials available on record and also taking into account that neither the petitioner is named in the F.I.R. nor any T.I.P. has been held and there is no evidence which connect the petitioner with the alleged offence, let this petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand)



with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, East Champaran at Motihari in connection with Keshariya P. S. Case No. 514 of 2020, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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