

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.53880 of 2022**

Arising Out of PS. Case No.-451 Year-2021 Thana- LALGANJ District- Vaishali

Chandan Kumar Son of Manoj Chaudhary Resident of Village - Ataullahpur
Chakshale, P.S.- Lalganj, Distt.- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-12-2022 Learned counsel for the petitioner undertakes to remove
all the defects as pointed out by office within two weeks from today.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Lalganj P.S. Case No. 451 of 2021 registered for the
offences punishable under Section 392 of the Indian Penal Code. He
is in custody since 16.06.2022. The petitioner has got no criminal
antecedent.

Learned counsel for the petitioner submits that the
informant alleged that while he was returning through pick-up
vehicle No. BR31CA-4573 with driver after distributing the gas
cylinder he was intercepted by three unknown miscreants riding on
one motorcycle and they snatched cash Rs. 45,000/- and two mobiles
on the point of pistol.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the name of the petitioner has transpired in the confessional statement of co-accused Ramanuj Kumar who has disclosed names of his six associates including the petitioner. The petitioner has no concern with the seized articles. The petitioner has not been put on test identification Parade.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submissions that the petitioner has been remanded in this case from another case but he has not been put on Test Identification Parade and only basis of his implication is that on the basis of his confessional statement a sum of Rs. 30,000/- in cash, Aadhar Card of Pankaj Kumar and Gas Consumer Card of Urmila Devi have been recovered, the submission being that nothing has been recovered from the conscious possession of the petitioner and the petitioner has remained in custody since 16.06.2022, investigation against him is complete and in the three cases against him as stated in paragraph '3', he is on bail, there being no submission on behalf of the State that the release of the petitioner is likely to result in tampering with the evidence or interfering with the course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount



each to the satisfaction of learned C.J.M. , Vaishali at Hajipur in connection with Lalganj P.S. Case No. 451 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application is allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

vats/-

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