

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66042 of 2021**

Arising Out of PS. Case No.-31 Year-2021 Thana- ASARGANJ District- Munger

CHANDAN KUMAR SON OF LATE PARMANAND SINGH RESIDENT
OF VILLAGE- MUDHERI, P.S- HAVELI KHARAGPUR, DIST- MUNGER

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Jagdhar Prasad

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

3 17-08-2022 The present matter has been listed under the heading
“To Be Mentioned” on the basis of motion slip filed on behalf of
the petitioner.

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
Asarganj P.S. Case No. 31 of 2021 registered for the offences
punishable under Section 395 of the Indian Penal Code.

As per prosecution case, it is alleged that on
09.03.2021, five to six miscreants armed with country made
pistol entered into the Gramin Bank, Masoomganj Branch. It is
further alleged that they entered in the safe room and on the



point of pistol looted cash of Rs. 5,44,416/- as well as Rs. 10,000/- from cash vault.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and during course of investigation on the confessional statement of co-accused Sooraj Kumar, name of petitioner has been surfaced. Nothing has been recovered from conscious possession of the petitioner. Except confessional statement of co-accused, there is nothing to demonstrate the petitioner with the alleged occurrence. Petitioner is in custody since 07.06.2021 and bears criminal antecedent of two cases in which he is on bail. Learned counsel specifically submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Petitioner has not been put on TIP.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, nature of allegation, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, as submitted and also taking into consideration the material available on record, let the petitioner above named be released on bail 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-II, Munger in connection with Asarganj P.S. Case No. 31 of 2021, 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)

shahzad/-

U		T	
---	--	---	--

