

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69033 of 2021**

Arising Out of PS. Case No.-153 Year-2019 Thana- CHANDAN District- Banka

CHANDAN BHAGAT Son of Shankar Bhagat Resident of Village - Dario,  
P.S.- Simultala, District - Jamui (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Adv.  
For the Opposite Party/s : Mr. Satyendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      27-04-2022                      Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence under Sections 394 of the Indian Penal Code.

The case relates to commission of loot of motorcycle, mobile and cash of Rs. 1500/- from the informant.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner has not been named in the F.I.R. but merely on the basis of confessional statement of the co-accused, Akash Pandey @ Bunty Pandey, who



has already been granted bail by this Court vide order dated 24.04.2022 passed in Cr. Misc. No. 66668 of 2021, he has been made accused in this case. He further submits that, in fact, neither anything incriminating has been recovered from the conscious possession of the petitioner nor the petitioner has been put on T.I.P. by the prosecution as yet. He further submits that the similarly situated co-accused, namely, Bhim Yadav, Pawan yadav and Dhaneshwar Yadav have already been granted bail by a co-ordinate Bench of this Court vide order dated 07.01.2022, 22.01.2022 and 17.02.2021 passed in Cr. Misc. No. 53043 of 2021, Cr. Misc. No. 55016 of 2021 and Cr. Misc. No. 39464 of 2020, respectively. The petitioner is rotting in judicial custody since 12.05.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Chandan (Anandpur) P.S. Case No. 153 of 2019 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

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 step 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.

**(Rajesh Kumar Verma, J)**

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