

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60716 of 2022

Arising Out of PS. Case No.-3 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

CHANDAN KUMAR S/o Mukesh Singh Resident of village- Karisath,
Police Station- Udwant Nagar (Gajrajganj O.P.), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Singh, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 07-12-2022 Heard learned counsel for the petitioner and Mr.
Jitendra Kumar Singh, learned APP who represents the State.

Let the defect(s), if any, as pointed out by the office be
removed within four weeks.

The petitioner is in judicial custody in connection with
Udwant Nagar P.S. Case No. 03 of 2021 for the offences under
Section 394 of the Indian Penal Code.

The prosecution story reads as follows :-

The informant in the FIR has stated that in connection
with the death of his brother-in-law who was an army man, he had
come to the place for completion of paper work and when he was
moving on a motorcycle with a neighbour as a pillion rider, two
motorcycles intercepted them and snatched their mobile and purse.
As he protested, one of them opened fire causing injury on his leg,
the accused persons thereafter fled away. He has further



complained that beside the mobile, Rs. 2500/- in cash as also ATM Card which were in purse was taken away by the accused person.

The matter was earlier taken up in Cr. Misc. No. 28127 of 2022 and rejected on 6.9.2022 with the observation that the petitioner can renew the prayer after framing of the charges.

The fresh bail application has been filed annexing therein the order dated 20.9.2022 by which charges have been framed.

Taking into account the aforesaid facts as also that he is in custody since 20.2.2022 (as stated in para-9 of the bail application), this Court is inclined to grant him privilege of bail with strict conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Udwant Nagar P.S. Case No. 03 of 2021, subject to the following conditions :-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall leave his/her district (Ara) for a period of one month after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station (where he will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months to mark attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/Ajay/-

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