

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 9355 of 2022

Arising Out of PS. Case No.-250 Year-2020 Thana- KANKARBAG District- Patna

MD CHAND Son of Md Jawed Resident of Village - Purani Bazar,
Bakhtiyarpur, P.S. - Bakhtiyarpur, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Md Kamaluddin, Advocate
For the Opposite Party/s : Ms Meena Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 11-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, **APP**) appearing for
the State of Bihar.

The petitioner seeks bail in Kankarbag Police Station
(for brevity, **PS**) Case No 250 of 2020 registered for the offence
punishable under Section 392 of Indian Penal Code.

Since 06.02.2021, the petitioner is stated to be in
custody. The prosecution case arises out of a chain snatching
incident.

Learned counsel for the petitioner submits that First
Information Report is against unknown. Co-accused (Md
Shahjad @ Chhotu) was arrested on suspicion. On his
statement, the petitioner has been implicated in this case. The



same has led to no recovery and till date, the petitioner has not been put on Test Identification Parade. Submission is of implication in a routine manner in view of the antecedents, as per disclosure in paragraph 3 of the petition.

Learned APP has opposed the prayer for bail. It is submitted that the petitioner is a habitual offender.

Having considered the rival submissions, the fact that the petitioner has not been put on Test Identification Parade and there is no recovery from the petitioner as also the manner of implication and for maintaining parity with co-accused Md Shahjad @ Chhotu, who has been allowed bail by this Court by order dated 27.07.2022 passed in Cr Misc No 9386 of 2022, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 01st Class, Patna in Kankarkbag PS Case No 250 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to



how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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