

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12436 of 2023

Arising Out of PS. Case No.-711 Year-2014 Thana- KHAGARIA District- Khagaria

CHANDAN SINGH SON OF BALMIKI SINGH R/O VILL.- MARANCH,
P.S.- CHAUTHAM, DISTT.- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kant, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 13-03-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Khagaria(Muffasil) P.S. Case No.711 of 2014 registered for the offence punishable under Section 395 of the Indian Penal Code.

As per the prosecution, the informant alleged that 7-8 unknown miscreants looted the alleged truck loaded with paddy from the alleged place.

The main submissions advanced by the learned counsel for the petitioner are that the petitioner is not named in



the FIR and his name surfaced in the present case only on the basis of confessional statement of co-accused after eight years of the alleged incident and except this statement there is nothing to connect him to the alleged occurrence of *Dacoity* and the petitioner himself is the owner and proprietor of petrol pump and Chandan Roadways and due to professional as well as political rivalry he has been dragged in this case and after his arrest he was not put on Test Identification Parade and against him there are criminal antecedent of four cases but that were lodged under the offences of different nature and the petitioner has been languishing in jail since 15.12.2022 and against him there is no any legal evidence.

Learned APP appearing for the State has opposed the bail prayer.

Considering the aforesaid facts and mainly the petitioner's pleas as to he not being named in the FIR and his name transpired in the statement of co-accused and after his arrest he was not put on Test Identification Parade and no incriminating material was recovered from his possession and investigation against him has been completed, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the 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 the concerned Court in connection with Khagaria(Muffasil) P.S. Case No.711 of 2014.

(Shailendra Singh, J)

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