

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24897 of 2023

Arising Out of PS. Case No.-622 Year-2022 Thana- SAKRA District- Muzaffarpur

CHANDAN KUMAR Son of Ramdeo Mahto R/V- Gannipur Bejha, PS-
Sakara, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 19-05-2023 1. Heard learned counsel for the petitioner(s)
and learned APP for the State.

2. Petitioner(s) seek regular bail in connection
with Sakara P.S. Case No.622 of 2022 dated 23.11.2022
registered for the offence(s) punishable under Section(s) 412,
413, 414, 467, 468 and 469 of the Indian Penal Code and
Section(s) 25 (1-b)a, 26 and 35 of the Arms Act.

3. The main submissions advanced by the
learned counsel for the petitioner(s) are that as per allegation,
five persons including this petitioner were suspected to be
involved in committing the offences of theft and loot with the
local persons and thereafter the police raided the alleged place
on getting the information that the said accused persons had
gathered to commit some offence and as per the allegation the



petitioner and the four co-accused persons were arrested from the spot but the allegation levelled against this petitioner is completely false, though he was arrested along with other co-accused persons but from his possession any incriminating material was not recovered and only one fire-arm and one live cartridge are alleged to have been recovered from the possession of the co-accused Manish Kumar but petitioner had no concern with the said seized fire-arms as well as with the seized motorcycles which are stated to have been found at the alleged place of occurrence. Further submissions are that the petitioner has been languishing in jail since 24.11.2022 and the seizure list witnesses are not independent persons and against the petitioner there is criminal antecedent of one case and against him the investigation has been completed and one co-accused namely Md. Faizan, carrying similar nature of allegation, has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.8704 of 2023.

4. Per contra, learned APP appearing for the State has vehemently opposed the prayer for bail.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner(s) and taking into account the



materials available on record and also the completion of investigation against the petitioner(s), I deem it fit and proper to admit the petitioner(s) to the privilege of bail.

6. Accordingly, let the petitioner(s) named-
above be enlarged on bail in connection with Sakara P.S. Case No.622 of 2022 on furnishing bail bond(s) of Rs.10,000/-(Ten Thousand)/each with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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