

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54207 of 2022

Arising Out of PS. Case No.-153 Year-2022 Thana- SINGHESHWAR District- Madhepura

DILIP CHAUHAN SON OF UPENDRA CHAUHAN R/O VILLAGE-
CHAMPANAGAR, P.S.- SINGHESHWAR, DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 394 of the Indian Penal Code read with Sections 25(1-B)a, 27 and 35 of Arms Act.

Learned counsel for the petitioner submits that petitioner is in custody since 30.06.2022 and has antecedent of one case, as pleaded in the supplementary affidavit which is taken on record, it is also submitted that petitioner is a young boy aged about 21 years and the informant alleges that three unknown criminals intercepted him and tried to commit loot, but one Md. Samsad was apprehended by villagers on alarm and he was handed over to the police who disclosed the name of the petitioner and Mithlesh.



Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is also submitted that he came to be implicated based on confessional statement of Md. Samsad in police custody which does not have any evidentiary value. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that at best it was the case of attempt.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the submission made by the learned counsel for the petitioner, the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Singheshwar P.S. Case No. 153 of 2022.

One of the bailors shall be the father of the petitioner 'Upendra Chauhan'.

(Satyavrat Verma, J)

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