

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68206 of 2022**

Arising Out of PS. Case No.-75 Year-2021 Thana- BARIYARPUR District- Munger

CHANDIKA KUMAR Son of Sahendre Yadav Resident of Village- Dobhiye
Tola Paria, P.S.- Bariarpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary, Advocate.

For the Opposite Party/s : Ms. Sharda Kumari, APP.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-04-2023 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has preferred this application for grant of regular bail in connection with Bariarpur P. S. Case No. 75 of 2021 dated 24.06.2021 registered for the offences punishable under Section 394 of the Indian Penal Code.

As per the prosecution case, when the informant along with one Ratan Mandal boarded on a motorcycle reached near Saraswati Shishu Mandir School, some miscreants intercepted them on the point of pistol. They took away Rs. 5250/- in cash,



one mobile phone and Aadhar Card from the pocket of the informant and Rs. 2000/- in cash and a mobile phone from the pocket of the Ratan Mandal.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No such occurrence as alleged has ever taken place. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that no TIP has been conducted by the prosecution as yet. Learned counsel has also submitted that the petitioner is accused in three other criminal cases and out of which he is on bail in one case. The petitioner is in custody since 02.08.2021.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Munger in connection with Bariarpur P. S. Case No. 75 of 2021 with the condition:-

1. The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bonds of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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