

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76228 of 2023

Arising Out of PS. Case No.-120 Year-2021 Thana- SANJHOLI District- Rohtas

CHANDAN KUMAR son of Rajendra Singh Village- Rampur Lakh Ps-
Natwar Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 30-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sanjhauli P.S. Case No. 120 of 2021 registered for the offences punishable under Section 392 of the IPC and Section 27 of the Arms Act.

3. As per prosecution case, informant alongwith his wife was going to Bhopatpur and in the way three miscreants snatched golden chain of informant's wife and fled away by firing in the air.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name has been transpired in the present case on the basis of confessional statement of co-accused of Nokha P.S. Case No. 129 of 2022



and on that basis petitioner has been remanded in the present case on 13.09.2022 and since then he is in custody. Petitioner bears criminal antecedent of four cases in which he is on bail. He further submits that petitioner has been implicated in the case one after another in a routine manner. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. No TIP has been conducted uptill now. No incriminating article has been recovered from the conscious possession of the petitioner. Except suspicion, there is nothing on record to demonstrate the complicity of petitioner with the alleged occurrence. He further submits that petitioner is quite innocent and has committed no offence as alleged in the FIR.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of learned A.C.J.M, Bikramganj, District-Rohtas in connection with Sanjhauli P.S. Case No. 120 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

vashudha/-

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