

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76766 of 2023

Arising Out of PS. Case No.-450 Year-2023 Thana- JAMUI District- Jamui

CHANDAN KUMAR @ SACHIDANAND KUMAR SON OF KAILASH
YADAV @ KAILASH YADAV RESIDENT OF VILLAGE -AFJALNAGAR,
PS- TARAPUR, DISTT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 20-12-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Jamui P.S. Case No. 450 of 2023 registered for the offences
punishable under Section 414 of the IPC.

3. As per prosecution case, the informant
received a secret information that gang of bike thief has
come to Jamui and they are planning to steal motorcycle
near Basant Bahar Hotel. Thereafter, informant alongwith
police team reached there and saw three boys sitting on two
motorcycles. It is further alleged that after seeing the police
team three boys tried to escape but they were apprehended



by the police who disclosed their name as Prakash Singh, Ram Pravesh Kumar and Chandan Kumar @ Sachitanand Kumar (petitioner). The miscreants could not produce valid document of said two motorcycles. It is further alleged that co-accused, Prakash Singh, disclosed that they committed theft of 15-16 motorcycles from Jamui. The miscreants further disclosed that one stolen Glamour motorcycle was given to co-accused Pappu Kumar and one stolen motorcycle was given to present petitioner and remaining motorcycles were sold in Dhanbad.

4. Learned counsel for the petitioner submits that petitioner is in custody since 18.07.2023 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner is quite innocent and has committed no offence as alleged in the FIR. Petitioner has unblemished career. Nothing has been recovered from the conscious possession of the petitioner. He further submits that co-accused, Vikash Kumar, has already been granted bail vide Cr. Misc. No. 73789 of 2023 by this Court and the case of present present



petitioner stands more or less on similar footing.

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, keeping in view clean antecedent of the petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, co-accused has already been granted bail, 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 C.J.M. Jamui in connection with Jamui P.S. Case No. 450 of 2023 , 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/-

U		T	
---	--	---	--

