

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11504 of 2024**

Arising Out of PS. Case No.-364 Year-2023 Thana- PHULPARAS District- Madhubani

CHANDAN KUMAR RAJAK Son of Late Thako Rajak @ Thako Safi
Resident of Village-Barsam, P.S.-Bheja, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Phulparas P.S. case No. 364 of 2023, corresponding to G.R. No.
1211 of 2023 instituted for the offences under Sections 392 of
the Indian Penal Code and 27 of the Arms Act.

3. Prosecution case, in short, is that two miscreants
are said to have intercepted the vehicle of the informant and
fired upon him. It is further alleged that they snatched vehicle of
the informant along with some documents and mobile phone



and fled away.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case only on the basis of suspicion. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case during investigation on the basis of confessional statement of the co-accused Kuldeep Kumar. Learned counsel further submitted that T.I.P. has not been conducted till date. No incriminating article has been recovered from the conscious possession of the petitioner. Several co-accused persons have already been granted bail by the Coordinate Benches of this Court vide Cr. Misc. No. 78827 of 2023, Cr. Misc. No. 67776 of 2023, Cr. Misc. No. 68734 of 2023 and Cr. Misc. No. 78410 of 2023. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.07.2023 and has no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, fair criminal antecedent and the period of custody undergone by the petitioner as also the claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Phulparas P.S. case No. 364 of 2023, corresponding to G.R. No. 1211 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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