

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27355 of 2024

Arising Out of PS. Case No.-83 Year-2023 Thana- BHAPTIAHI District- Supaul

Chandan Kumar @ Om Prakash Kumar @ Chandan Kumar Mehta son of
Shivji Mehta, Resident of Village- Kalyanpur Ward No.2, P.S.- Bhaptiyahi,
Dist.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 20-05-2024 Heard Ld. counsel for the petitioner and
Ld. APP for the State.

2. The petitioner apprehends his arrest in connection with Bhaptiyahi P.S. Case No. 83 of 2023 dated 17.06.2023, registered for the offences punishable under Section 392 of the Indian Penal Code.

3. As per the prosecution case, four unknown persons snatched the key of the pick-up van, mobile phone and cash worth Rs. 15,000/- from the pocket of the informant on the gun point.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner has neither been



arrested on the spot nor any incriminating article has been recovered from him. He has been implicated in this case only on account of confessional statement of co-accused Mannu Kumar Mehta and Neeraj Kumar Mandal, which is a very weak evidence in the eye of law.

5. It has also been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedent.

6. It is also stated in paragraph no. 2 of the petition that petitioner has never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

8. Considering the aforesaid facts and circumstances of the case, this application is allowed, directing the petitioner above named, to be enlarged on bail in the event of his arrest or surrender before Ld. trial court within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Supaul, in connection with Bhaptiyahi P.S. Case No. 83 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on



the following conditions:

(i) In case, it is brought to the notice of Ld. trial court that the petitioner has any criminal antecedent, Ld. trial court shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(ii) In case, it is brought to the notice of Ld. trial court that statement regarding previous bail petition is wrong, Ld. trial court shall cancel the bail bond of the petitioner.

(Jitendra Kumar, J.)

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