

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46293 of 2024

Arising Out of PS. Case No.-184 Year-2023 Thana- KESARIA District- East Champaran

Chandeshwar Rai Son of Jagarnath Rai @ Jagarnath Ray Resident of village -
Maudhopur Hajari, P.S.- Sahebganj, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Anil Kumar, APP

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

ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kesariya P.S. case No. 184 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 when the
informant was in office, two miscreants came in the office and
on the point of pistol looted cash amounting to Rs. 2,41,000/-,
mobile phone along with motorcycle of Durgesh Kumar.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner



transpired in this case during investigation only on the basis of confessional statement of the co-accused Nandan Kumar @ Neta. No incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that T.I.P. has not been conducted till date. Learned counsel further submitted that petitioner has got no concern with the looted articles. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.03.2024 and has two criminal antecedents.

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 as also the period of custody undergone by the petitioner, 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 Kesariya P.S. case No. 184 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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