

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44437 of 2024

Arising Out of PS. Case No.-16 Year-2022 Thana- BIKRAMGANJ District- Rohtas

CHANDAN KUMAR SON OF RAJENDRA SINGH VILLAGE- RAMPUR
LAKH, P.S.- NATWAR, DISTT.- ROHTAS AT SASARAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Chhote Lal Mishra
		Mr. Jyoti Prasad
For the Opposite Party/s :		Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 30-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

2. The present application has filed to set aside the order dated 03.07.2023 passed by the Additional Sessions Judge, III, Rohtas, Sasaram in connection with Bikramganj P.S. Case No. 16/2022 under Sections 392 of the Indian Penal Code.

3. The petitioner is aggrieved by the part of the order dated 03.07.2023 passed by the Additional Sessions Judge, III, Rohtas in B.P. No. 566/23 arising out of Bikramganj P.S. Case No. 16/2022.

4. Though the Additional Sessions III, Rhotas has granted regular bail to the petitioner, it has been directed that the petitioner shall be released after examination of the informant and the



Investigation Officer.

5. It has been submitted by the learned counsel for the petitioner that the conditions imposed is such that the petitioner will be released after all the witnesses are examined. He further submits that this kind of order cannot be passed by the trial Court.

6. I have considered the submissions of the petitioner.

7. The petitioner is in jail since 26.08.2022 i.e. for about two years. Apart from the confessional statement made against the petitioner, there is no material to connect the petitioner with the crime.

8. In view of the above, this application is allowed.

9. The petitioner is directed to be released forthwith by the Additional Sessions III, Rhotas /court concerned.

10. The other conditions imposed by the order dated 03.07.2023 passed by the Additional Sessions Judge, III, Rohtas in B.P. No. 566/23 arising out of Bikramganj P.S. Case No. 16/2022 shall remain the same.

(Sandeep Kumar, J)

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