

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81584 of 2023

Arising Out of PS. Case No.-416 Year-2023 Thana- GOPALPUR District- Bhagalpur

Chandan Sah @ Chandan Kumar Son Of Mahendra Sah Resident Of Village -
Sahu Tola Bhawanipur, P.S. - Rangra, District - Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Gopalpur P.S. Case No.416 of 2023, lodged on 27.08.2023,
under Section 392 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
unknown accused persons against whom allegation of robbery
has been made.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that admittedly two mobile has been recovered from the
house of the petitioner and due to this reason his name has
figured in this case. Counsel submits that due to greed to
purchase mobile in low price, the petitioner has purchased the



mobile from other persons. The petitioner is in custody since 03.08.2023 having no criminal antecedent. Counsel further submits that charge sheet has been filed.

5. Learned counsel for the State opposes the prayer for bail.

6. Upon the specific query of the Court that whether charges have been framed or not. Counsel for the petitioner submits that he is completely unaware about this fact that charges have been framed or not.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Naugachia, Bhagalpur, in connection with Gopalpur P.S. Case No.416 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;



(ii) The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) The petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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