

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79719 of 2024

Arising Out of PS. Case No.-385 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Chandan Kumar @ Deepak Son of Ram Dayal Singh Resident of Village-
Basadiya, P.S.- Dalsinghsarai, Distt.- Samastipur, Bihar-848101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate

For the Opposite Party/s : Mrs. Rina Sinha, APP

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

ORAL ORDER

2 13-11-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Bibhutipur P.S. Case No. 385 of 2023 (G.R. No. 1314 of 2023),
instituted for the offences punishable under Section 392 of the
Indian Penal Code.

3. The prosecution case, in short, is that, two
unknown miscreants intercepted the informant and robbed his
motorcycle along with mobile phone on the point of pistol and
fled away from the place occurrence.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge has already been framed in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. It is further submitted that no recovery of looted article has been made from the possession of the petitioner and no T.I. parade has been conducted in this case. The petitioner is in custody since 12.12.2023 and has got seven criminal antecedents.

5. Learned APP 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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bibhutipur P.S. Case No. 385 of 2023 (G.R. No. 1314 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 is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

