

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3408 of 2025

Arising Out of PS. Case No.-55 Year-2024 Thana- UJIYARPUR District- Samastipur

Chandan Kumar S/o Suresh Singh R/o Village- Adharpur Chaknizamat, PS-
karpurigram, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Khushi Awadh

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-02-2025 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. This is an application for grant of bail to the petitioner, who is in custody in connection with Ujiyarpur P.S. Case No. 55 of 2024, registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. The police, on a tip off assemblage of miscreants, conducted raid at the place of occurrence and apprehended four persons, including the petitioner. In course of search, from the possession of the petitioner one mobile phone has been recovered. It is alleged that some incriminating material and one pistol has also been recovered from the possession of the co-accused person. It is also alleged that all the persons were planning to commit loot and in course of raid they were apprehended.

4. Learned Advocate for the petitioner contended that



from the FIR it appears that no incriminating material has been recovered from the possession of the petitioner. In fact on account of his past criminal antecedent in six cases, as has been disclosed in paragraph-3, his name has been implicated in this case. On the alleged date of occurrence though he was present nearby the place of occurrence, on suspicion he was apprehended. The petitioner has been incarcerated since 11.03.2024 and the investigation is complete and the charge sheet has been submitted.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the criminal antecedents of the petitioner speak about his involvement in identical nature of crime.

6. Regard being had to the submissions made on behalf of the parties and considering the period of custody and the fact that there is no recovery of any incriminating material from the possession of the petitioner, coupled with the fact that the charge sheet has been submitted, let the petitioner, abovenamed, 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 learned court of Sessions Judge, Samastipur in connection with S.T. No. 515 of 2024



arising out of Ujiyarpur P.S. Case No. 55 of 2024, subject to the condition that one of the bailors shall be the own/close family members of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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