

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86873 of 2024**

Arising Out of PS. Case No.-342 Year-2024 Thana- MAKHDUMPUR District- Jehanabad

Chandan Kumar @ Chandan Sarkar @ Gaya Yadav son of Bigan Yadav
Village -Saren PS -Tehta (Makhdumpur) Distt -Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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

ORAL ORDER

3 23-01-2025 The matter has been listed under the heading “To Be
Mentioned” for early hearing of the application on the ground of
performing *Shradh* rituals of petitioner’s father.

Re.: I.A. No. 01 of 2025

2. Learned counsel for the petitioner seeks permission
of this Court to withdraw the present I.A. No. 01 of 2025.

3. Permission is accorded.

4. Accordingly the present I.A. No. 01 of 2025 is
dismissed as withdrawn.

Re.: Cr. Misc. No. 86873 of 2024

5. Heard learned counsel for the petitioner and learned
APP for the State.

6. The petitioner seeks bail in connection with
Makhdumpur P.S. Case No. 342 of 2024, instituted for the



offences punishable under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

7. The prosecution case, in short, is that, three unknown miscreants intercepted the informant and on the point of pistol snatched motorcycle and other valuable articles from him.

8. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted 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 secret information during course of investigation. It is further submitted that the petitioner has confessed his guilt before the police and the same has got no evidentiary value. No T.I. parade has been conducted in this case. The petitioner is in custody since 19.07.2024 and has got three criminal antecedents in which he is on bail in all cases.

9. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

10. 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.

11. 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 Makhdumpur P.S. Case No. 342 of 2024, 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.

(IV) 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)

Rajorshi/-

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