

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73469 of 2025

Arising Out of PS. Case No.-603 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Chandeshwar Rai @ Chandra Shekhar Rai @ Baba @ Pathak Baba S/O
Sindeshwar Rai @ Adadh Pathak R/O village - Ratiya @ Radhiya, P.S.-
Mahrajganj, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 18-04-2026 Heard Mr. Hemant Kumar, learned counsel for the

petitioner as well as Mr. Bhanu Pratap Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
11.02.2022 in connection with Hajipur Sadar P.S. Case No.
603/2021, F.I.R. dated 01.07.2021 for the offences punishable
under Sections 394 and 307 of the Indian Penal Code and
Section 27 of the Arms Act.

3. According to prosecution case, two unknown
miscreants are alleged to have intercepted the motorcycle of the
informant and fired upon his shoulder and took away the
informant's motorcycle and fled away.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is false and fabricated and nothing has been recovered from the conscious possession of the petitioner and till date no TIP has been conducted by the prosecution. Learned counsel for the petitioner submits that the petitioner is not named in the FIR, the name of the petitioner has transpired during investigation on the basis of the confessional statement of the co-accused person, namely, Suraj Patel. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 11.02.2022.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries five criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case



No. 603/2021 subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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