

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86626 of 2025

Arising Out of PS. Case No.-172 Year-2024 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

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Chandu Kumar @ Chandan Kumar S/o Singham Choudhary @ Sujit Sahni
Resident of - Cinema Holl Chowk, Bahadurpur, Ward No. 21, P.S -
Samastipur (Town), District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2026 Heard Mr. Surya Narayan Roy, learned counsel for

the petitioner and Mr. Madan Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Samastipur Rail P.S. Case No. 172 of 2024,
F.I.R. dated 17.07.2024 for the offences punishable under
Sections 303(2), 304 and 3(5) of the BNS, 2023.

3. According to prosecution case, four persons
snatched the bag of the informant from the railway station.
However, Nitesh Kumar was apprehended and he disclosed the
name of the other three persons including this petitioner.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation as alleged in the



F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the name of the petitioner has been transpired on the basis of the disclosure made by the apprehended co-accused, namely, Nitesh Kumar, Amarjeet Kumar and Prince Kumar. He further submits that the petitioner has no role at all in the present occurrence and except the disclosure made by the apprehended co-accused persons, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the name of the petitioner has been transpired on the basis of the disclosure made by the apprehended co-accused persons, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 A.C.J.M. (Railway), Samastipur in connection with Samastipur Rail P.S.



Case No. 172 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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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