

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-III, MADHUBANI

B.P.No.948/2022

Date	Ordersheet
18-1-2023	The record put up today for hearing on the bail petition dated 16-12-2022 filed on behalf of the accused-petitioner Chandan Pandey who is in jail custody since 30-8-2022 in connection with Arer P.S. case No.117/2022 u/s 394/34 of the IPC. The learned lawyer, Shri Shiv Kumar Thakur appearing on behalf of the petitioner has submitted that the petitioner is innocent and has committed no offence rather he has falsely been implicated in this case with ulterior motive. Nothing as alleged has ever taken place, and the prosecution case is false and concocted. The motorcycle seized from the possession of the petitioner belongs to him and has valid papers of its ownership. No cutter blade was recovered from the possession of the petitioner as alleged. The petitioner has no manner of concern with the co-accused allegedly from whose possession, bag with money was recovered. Lastly, prayer has been made to release the petitioner on bail. On the other hand, the learned A.P.P., Shri Sanjay Kumar for the State has opposed the prayer of bail of the petitioner. Heard the parties and perused the materials available over the record. The case, in short, is that on 30-8-2022 at about 2:30 P.M., when the informant-Anita Devi went to State Bank at Arer Chowk with her husband and withdrew 20,000 rupees cash amount and it was kept with a passbook in a plastic bag and to transfer money, she came to Anubhav Online Centre, and her husband was standing outside and she was sitting on a bench with money, then a person from behind slapped her and snatched the bag and when her husband saw the incident, he rushed towards them and pushed them and both the miscreants fell down there, and they were apprehended from the spot, and they told their name Amit Kumar and petitioner Cnandan Pandey and police also rushed there after getting information and arrested both the miscreants and recovered the money from their possession along with a passbook of the informant, and police further recovered a cutter blade from the possession of the petitioner. On perusal of the case diary, it is evident that the witnesses supported the case in paras 11, 12, 17, 18, 19 of the case diary. In para 32 of the case diary, it is mentioned that the petitioner has been also an accused in Laheriasarai P.S. case No.40/2020 u/s 379/511 of the IPC. The petitioner was caught (Contd.....2)

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Contd.2 18-1-2023	red-handed from the spot, and one another case is also pending against him which shows that the petitioner is the habitual offender, and hence, I am not inclined to enlarge the petitioner on bail, and, therefore, the present bail petition filed on behalf of the petitioner stands rejected. Dictated Additional Sessions Judge-III Memo No. /2022, Dated: Copy forwarded to the SDJM, Benipatti for information and needful. Additional Sessions Judge-III, Madhubani 18-1-2023	

