

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43911 of 2017**

Arising Out of PS.Case No. -188 Year- 2016 Thana -JHAJHA District- JAMUI

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Chandan @ Kundan Kumar @ Kundan Paswan, S/o Ram Bilash Paswan,  
Resident of Village- Ambedkar Nagar, Police Station- Jhajha, District-  
Jamui.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

2      03-10-2017                      Heard both sides.

Petitioner apprehends his arrest in Jhajha P.S. Case  
No.188 of 2016 under Section 302/34 of the Indian Penal Code.

The informant alleged that Sapna Kumari called his  
son and with the help of Suresh Paswan, Akash Paswan, Naresh  
Paswan, Deepak Paswan, Sanjay Paswan, Rajdeo Paswan,  
Chandan @ Chandan Paswan, the petitioner and Suraj Paswan  
strangled to death his son Amod Paswan.

Learned counsel for the petitioner submits that the  
informant is not an eye witness of the occurrence. The dead body  
of the deceased was found in the house of Sapna Kumari. Nobody  
has seen the petitioner committing the murder of Amod Paswan.



Similarly situated co-accused Sanjay Paswan and another, Suresh Paswan and another and Naresh Paswan and others have already been granted anticipatory bail vide order passed in Cr. Misc. No.31463 of 2017, Cr. Misc. No.32225 of 2017 and Cr. Misc. No.40028 of 2017 respectively. The police, after investigation, submitted final form finding the case false against the petitioner and others but even thereafter cognizance was taken. Police submitted charge sheet under Sections 306 and 201 of I.P.C. only against Sapna Kumari, but the learned court below took cognizance under Section 302 of the I.P.C.

Considering the facts that similarly situated co-accused have already been granted anticipatory bail, petitioner above named is directed to be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Jamui in connection with Jhajha P.S. Case No.188 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Prabhat Kumar Jha, J)**

N.H./-

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