

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.28845 of 2021

Arising Out of PS. Case No.-528 Year-2020 Thana- KISHANGANJ District- Kishanganj

CHANDAN @ CHANDAN RAY @ CHANDAN KUMAR RAY S/o Late
Ram Raj Ray R/o Mauzabari, P.S.- Kochadhaman, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 302, 201/34 of the Indian
Penal Code.

As per the prosecution cases, the informant suspects
that this petitioner along with his associates killed his brother-
in-law for the reason that prior to the occurrence this petitioner
has got some altercation with the deceased.

Learned counsel appearing for the petitioner submits
that only on the basis of suspicion this petitioner has been made
accused in this case. There is no eye witness of the occurrence.
The informant is also not an eye witness of the occurrence. It is
submitted that this petitioner has been implicated in the case



merely on the basis of suspicion because earlier some altercation took place between the petitioner and the informant for taking passenger at the bus stand and taking advantage of the same the petitioner has been implicated in the case. There is no substantive material to show complicity of this petitioner in the aforesaid crime. Petitioner is in custody since 27.12.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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 Chief Judicial Magistrate, Kishanganj in connection with Kishanganj PS case No. 528/2020 on the following conditions:-

(1) 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/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(Prabhat Kumar Singh, J)

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