

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36801 of 2021

Arising Out of PS. Case No.-543 Year-2018 Thana- KUDHNI District- Muzaffarpur

CHANDAN KUMAR S/o Mahendra Sah R/o village- Purandaha Rajwara,
P.S.- Sonbarsha, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak
For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-12-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, on the alleged date and time of occurrence while brother of informant (deceased) was taking meal at Vaishali Hotel with his friends, this petitioner along with other FIR named accused persons came on a vehicle and started abusing and made firing and thereafter it is alleged that all the five accused persons, including this petitioner, abducted brother of informant. Later on dead body of brother of informant was found. Reason for the aforesaid occurrence is some money dispute in between his brother and petitioner and other accused persons.



Learned counsel appearing for the petitioner submits that from FIR itself that informant is not an eye witness of the occurrence and the FIR has been lodged after post mortem of dead body. Save and except suspicion no other material has been collected during the investigation against this petitioner to show his complicity in the aforesaid crime. Similarly situated accused Shanu Thakur has already been granted bail by a co-ordinate Bench of this court vide order dated 05.04.2021 passed in Cr. Misc. No. 4755/2021. Petitioner is in custody since 28.11.2020 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 Additional Chief Judicial Magistrate-I, West, Muzaffarpur in connection with Kudhani (Turki O.P.) PS case No.543/2018.

(Prabhat Kumar Singh, J)

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