

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.31370 of 2020**

Arising Out of PS. Case No.-208 Year-2019 Thana- RAGHOPUR District- Supaul

CHANDAN KUMAR @ CHANDAN KUMAR MEHTA Son of Narayan Mehta @ Shiv Narayan Mehta Resident of Village- Dahupatti, P.S.- Bhaptiyahi, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

7      23-06-2021                      This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

Heard learned counsel for the parties.

This application for grant of regular bail arises out of Raghopur P.S. Case No. 208 of 2019, disclosing offences punishable under Sections 302,201 and 120B of the Indian Penal Code.

The petitioner had earlier approached this Court for grant of regular bail, which was dismissed as withdrawn by an order dated 02.07.2020 passed in Cr. Misc. No. 16191 of 2020. The petitioner is named in the First Information Report and is in custody since 16.10.2019. Allegedly, on the date of occurrence dated 30.09.2019, the deceased was accompanying the petitioner



and one Monu Kumar to attend a party. The victim did not return in the night and in the morning the informant, the father of the victim learnt that his son had been shot at. Subsequently dead body of the deceased was recovered. The First Information Report indicates that business rivalry in trade of illicit liquor was the reason behind the occurrence.

Case diary has been called for, which is there on record and has been perused.

Learned counsel appearing on behalf of the petitioner has submitted that there is no evidence collected by the police during the course of investigation that the petitioner was anyhow involved in the commission of the offence of murder.

On perusal of the case diary, it is noticeable that the police have recorded confessional statement of co-accused Ashok Kumar Mukhiya, which suggests that business rivalry in relation to trade of illicit liquor was the reason behind dispute and the occurrence. The said Ashok Kumar Mukhiya is said to have confessed his direct involvement as the main assailant. Confessional statement of the petitioner has also been recorded by the police as is evident from the case diary. No material collected, however, suggests that the petitioner was in any manner involved in commission of the offence punishable under



Section 302 of Indian Penal Code.

Considering the above noted facts and the petitioner's incarceration since 16.10.2019, this application is allowed.

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 the learned A.C.J.M, Birpur (Supaul) in Raghapur P.S. Case No. 209 of 2019.

arun/-

**(Chakradhari Sharan Singh, J)**

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