

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37955 of 2020

Arising Out of PS. Case No.-953 Year-2019 Thana- MADHEPURA District- Madhepura

CHANDAN KUMAR S/o Dukhi Paswan @ Suresh Paswan R/o Village-
Ward No. 9, Azad Nagar, Madhepura, P.S.- Madhepura, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Adv.

For the Opposite Party/s : Mr. Mrintunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-03-2021 Heard the learned counsel for the petitioner and the learned APP for the State, Sri Mrintunjay Kumar Nirala.

The petitioner seeks regular bail in connection with Madhepura P.S. Case No. 953 of 2019, registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

The case of the prosecution in brief as per the FIR, which has been instituted on the basis of Fardbeyan of the informant Janki Devi is that in the night of 11.11.2019, at about 10 pm, when the informant had come to feed her son Ranjit Kumar



(deceased), she saw that all the FIR named accused persons including the petitioner, were sitting there with her son (deceased) and were eating and drinking together and on the next morning at about 6.00 am, when the informant came in the room of the deceased for awaking her son Ranjit Kumar, she found him lying dead and blood was oozing out from his neck as well as there were multiple injuries on his body.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case merely on suspicion. There is no eye witness of the alleged occurrence. The petitioner is stated to be in custody since 17.02.2020 and has got no criminal antecedent. It is also submitted that similarly situated co-accused persons have already been granted bail by Co-ordinate Benches of this court vide orders dated 01.06.2020 and 30.06.2020 passed in Criminal Miscellaneous No. 7803 of 2020 and Criminal Miscellaneous No. 19925 of 2020.

Per contra, the learned APP for the State, Sri



Mrintunjay Kumar Nirala, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also those available in the case diary, this Court finds that there is minuscule evidence on record so as to connect the petitioner with the alleged crime and moreover, similarly situated co-accused persons, have already been granted bail by coordinate Benches of this Court vide orders dated 01.06.2020 and 30.06.2020 passed in Criminal Miscellaneous No. 7803 of 2020 and Criminal Miscellaneous No. 19925 of 2020, hence, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Madhepura in



connection with Madhepura P.S. Case No. 953 of
2019.

(Mohit Kumar Shah, J)

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