

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.668 of 2021

Arising Out of PS. Case No.-124 Year-2020 Thana- VISHNUPAD District- Gaya

CHANDAN KUMAR @ SURAJ KUMAR @ CHANDAN AND SURAJ
KUMAR S/o Rambilash Ram @ Ram Bilash Ram R/o Mohalla- Behind Senji
Thakurbari Temple, Brahamani Ghat, Bahuaar Chaura, P.S.- Vishnupad,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 30-06-2021 Heard Mr. Arvind Kumar Singh, learned counsel for
the petitioner and Mr. Umesh Lal Verma, learned counsel
appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Vishnupad P.S. Case No. 124 of 2020 registered for the offence
under Section 302/120(B) of the I.P.C. and Section 27 of the
Arms Act.

The allegation as per the First Information Report is
that petitioner along with other accused persons called the
brother of the informant from his house and took him with them
for celebrating “party” near the bank of river ‘Falgu’ and it has
further been alleged that the co-accused / Mukesh Kumar
Sharma with the help of his brother Dhananjay Sharma has



killed the brother of the informant by firing gun shot upon him.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case merely on the basis of the fact that he informed about the murder of the deceased. Learned counsel further submits that only suspicion has been raised against the petitioner about conspiracy and no material has come during the course of investigation in order to connect the petitioner with the present offence. Learned counsel further submits that from perusal of the F.I.R. it would be evident that informant has levelled specific allegation against the co-accused / Mukesh Kumar Sharma and Dhananjay Sharma of firing upon the brother of the informant. Learned counsel next submits that there is no allegation of firing upon the petitioner. Learned counsel further submits that petitioner has got no criminal antecedent and he is in custody since 05.08.2020.

On the other hand learned counsel for the State referring to the case diary submits that petitioner had conspired with the co-accused persons who killed the brother of the informant.

Having heard learned counsel for the parties and taking into consideration the materials available on record, the



fact that petitioner is in custody since 05.08.2020, there is specific allegation of firing against other co-accused persons and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Vishnupad P.S. Case No. 124 of 2020.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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