

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8346 of 2021

Arising Out of PS. Case No.-118 Year-2020 Thana- PATNA CITY CHOWK District- Patna

CHANDAN KUMAR, SON OF BALINDRA SAH R/O MOHALLA-
CHOOTI NAGLA ROAD, PATNA CITY, P.S.- MALSALAMI, DIST.-
PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 24-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 387, 120B and 34 of the Indian Penal Code, section 27 of the Arms Act and sections 3 and 4 of the Explosive Substance Act.

As per allegations in the FIR, the six accused persons on two motorcycles came to the jewellery shop of the husband of the informant and shot him dead. It is further stated on earlier occasion he had been threatened with dire consequences by Sagar Yadav and Jacky.

It is submitted by learned counsel for the petitioner that the FIR was registered against the aforesaid Sagar Yadav and Jacky. The name of the petitioner transpired in course of the investigation on the statement of one Guddu Mishra, a staff working in the shop. It



is submitted that the FIR was registered after the wife of the deceased reached at the shop. Thus, there was no reason as to why the petitioner was not named by the said staff at the very first instance in the FIR. Even as per the statement, the allegation of shooting is against Niraj Chaudhary. Case of the petitioner stands on a similar footing to that of co-accused Ravi Kumar who has been enlarged on bail vide order dated 26.7.2021 passed in Cr. Misc. No. 5037 of 2021. The petitioner is in custody since 21.7.2020 and investigation in the case has concluded.

The application for bail is opposed by learned APP for the State who submits that the petitioner is a veteran criminal accused in serious offences in at least five cases from before.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for over one year, the Court directs the petitioner to be enlarged on bail in connection with Chowk P.S. Case no. 118 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna City, Patna.

(Partha Sarthy, J)

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