

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53002 of 2021**

Arising Out of PS. Case No.-69 Year-2021 Thana- MAGADH UNIVERSITY District- Gaya

Chandan Kumar S/o Sri Suresh Yadav R/o village- Gaura, P.S.- Magadh  
University, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Gopal Jha

For the Opposite Party/s : Mr. Anand Kishore Choudhary

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      31-03-2022                      Heard learned counsel for the petitioner and learned  
counsel for the Informant as well as learned Additional Public  
Prosecutor for the State.

Let the defects, as pointed out by the office, be  
removed within four weeks of start of normal functioning of the  
physical court.

Petitioner seeks bail in a case registered for the  
offences punishable under Sections 326, 364, 302, 201/34 of the  
Indian Penal Code.

According to prosecution case, as per written report of  
the informant namely, Umesh Paswan, stating therein that on  
06.06.2021 son of the informant Aman Kumar aged about 5  
years (now deceased) had left home but did not return. The  
informant alongwith other family members searched his son and



later informant learn that the dead body of his son is lying in the vehicle of one Sanjay Yadav. It was further disclosed by the informant that his son died due to the bur injury which was caused by pouring acid or hot water by unknown accused persons.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. and name of the petitioner has come during the investigation only on the basis of suspicion and the dead body of the victim was recovered from the Car of the petitioner. He further submits that nothing has come during the investigation against the petitioner and none of the witnesses have supported the allegation against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 12.06.2021.

The learned counsel for the Informant as well as learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the dead body of the victim has been recovered from the Car of the petitioner.



Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Magadh University P.S. Case No. 69 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail



bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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