

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59985 of 2022

Arising Out of PS. Case No.-467 Year-2019 Thana- PAROO District- Muzaffarpur

Chandan Kumar Son of Ram Narayan Singh Resident of Village-
Sadanpura(Sadhanpura), P.S.- Kathaiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Manoj Kumar, Advocate
For the State	:	Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Paroo P.S.
Case No.467 of 2019 registered for the offence under Sections
307 and 34 of Indian Penal Code, Section 27 of Arms Act and
30 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accused/petitioner is named in the F.I.R. and is in
custody since 23.08.2022.

The allegation against the petitioner is to fire upon
police raiding party, alongwith other co-accused persons, who
arrived at the place of recovery.

Learned counsel appearing on behalf of the petitioner



submitted that name of petitioner surfaced on the basis of confessional statement of co-accused, namely, Dharmendra Das and in furtherance thereof, no incriminating material was recovered/surfaced, during the course of investigation, which may connect this petitioner with the present set of recovery. It is submitted that allegation of firing is not specific against this petitioner and, moreover, no one received fire injury, in terms of alleged firing. It is submitted that said co-accused, namely, Dharmendra Kumar, has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 20992 of 2020, vide order dated 13.10.2020. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above, as nothing incriminating material surfaced/recovered during the course of investigation, to connect this petitioner, *prima facie*, with the present set of occurrence coupled with the fact that charge-sheet has already been submitted, let the



petitioner, above named, is directed to be released on bail in connection with Paroo P.S. Case No.467 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. II, Muzaffarpur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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