

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24794 of 2022**

Arising Out of PS. Case No.-205 Year-2018 Thana- ARIYARI District- Sheikhpura

CHANDAN KUMAR @ CHANDA KUMAR Son of Shankar Mahto  
Resident of Village - Chorbar, P.S.- Ariyari (Kasar O.P.), Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                             |
|--------------------------|---|-------------------------------------------------------------|
| For the Petitioner/s     | : | M/s Rama Kant Sharma, Sr. Advocate<br>Bipin Kumar, Advocate |
| For the Opposite Party/s | : | Mr. Ram Priya Sharan Singh, APP                             |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      13-01-2023                      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 307, 147, 148, 149, 323, 341, 324, 448 and 354 of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

As per the prosecution case, it is stated that the five named accused persons including the petitioner herein entered and made an attempt to forcibly take away the daughter of the informant. On *hulla* being raised, it is stated that Rajesh Prasad assaulted with sword while Vinod Mahto with a *Kudal*.

It is submitted by learned senior counsel appearing for



the petitioner that the alleged victim died subsequently and section 302 of the IPC was added. No overt act is alleged against the petitioner. The petitioner is in custody since 8.2.2022 and chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State who submits that the petitioner is named in the FIR.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR wherein no overt act has been alleged against this petitioner together with the petitioner having remained in custody for 11 months since 8.2.2022 and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Ariyari (Kasar) P.S. Case no. 205 of 2018 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, Sheikhpura.

**(Partha Sarthy, J)**

Spd/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

