

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49089 of 2022

Arising Out of PS. Case No.-164 Year-2022 Thana- CHAPRA TOWN District- Saran

CHANDAN KUMAR S/o Late Shambhu Prasad Resident of Mohalla-
Narayan Chowk Dahiyawan, P.S.- Chapra Town, District- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Rana Randhir Singh

For the Informant : Mr.Viveka Nand Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 14-03-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Chapra Town P.S. Case No. 164 of 2022, registered for the
offences punishable under Sections 341, 323, 324, 307, 379,
504, 302/34 of the Indian Penal Code.

As per allegation, the petitioner along with co-accused
Vinod Kumar came to the shop of the informant and demanded
Gutakha. The allegation against the petitioner is that when the
informant (deceased) denied to provide him *Gutakha*, co-
accused Vinod Kumar caught hold his collar and the petitioner
inflicted knife blow in the stomach of the informant (deceased).

The learned counsel for the petitioner has submitted
that though there is specific allegation on the petitioner that he



stabbed the informant, who died after three days during course of treatment. It is solitary blow and the occurrence is not premeditated.

The learned counsel for the informant as well as the learned APP have submitted that the petitioner is direct assailant. The informant in his dying declaration has disclosed that the petitioner stabbed him and his statement was corroborated by his wife and daughter in paragraph nos. 6 and 8 of the case diary. He has submitted further that the daughter of the informant has been examined as P.W.-1 and she has fully corroborated her version mentioned in the case diary.

In my view, the petitioner does not deserve the privileges for bail. Accordingly it is rejected.

The learned trial court is directed to dispose of the case within a period of nine months.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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