

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63515 of 2023**

Arising Out of PS. Case No.-97 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Chandan Kumar @ Bholiya @ Bam Bholiya S/O Ashok Kunwar R/O Village-
Kaithma, Ward No.-19, P.S- Mufassil, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvottam Kumar, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

For the Informant : Mr. Manish Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the Informant.

2. The petitioner seeks bail in a case instituted for
the offences under Sections 302, 201, 120(B), 34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. The prosecution story, in short, is that on
19.02.2023, the grandson of the Informant, namely, Mayank
Kumar had gone for Coaching. At 06.50 p.m. when he was
returning from the Coaching Center, the accused persons
along with other unknown person murdered him and thrown
the dead body.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.03.2023 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired in this case on his self-confession. Except for this, there is no substantive evidence to suggest his implication in the present case. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to show the participation of the petitioner in the alleged occurrence. The another co-accused person, namely, Brijnandan Kunwar @ Goddu has been granted bail by a Co-ordinate Bench of this Court vide order dated 24.07.2023 passed in Cr. Misc. No. 40247 of 2023.

5. On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is not named in the F.I.R.

6. Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/-



(Ten thousand) with two sureties of the like amount each to
the satisfaction of Court below/concerned Court in
connection with Mufassil P.S. Case No. 97 of 2023.

(Sudhir Singh, J)

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