

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19649 of 2024

Arising Out of PS. Case No.-383 Year-2023 Thana- BELHAR District- Banka

Chandan Kumar Son of Sri Shivnandan Yadav R/o Village- Jamua, P.S.-
Belhar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302, 120(B) of the Indian Penal Code and Section 27 of Arms Act.

Prosecution case in nutshell is that husband of the informant went to market with the petitioner. It is further alleged that the petitioner made a telephonic call to one Shatrudhan Kumar intimating that husband of the informant has shot by bullet. When the informant and others went there and took her to hospital where doctor



declare her husband dead. It is alleged by the informant that petitioner along with other co-accused persons have killed her husband.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Informant is not eye witness of the alleged offence and the petitioner has been dragged in this case merely on the basis of suspicion. Moreover, the petitioner is languishing in judicial custody since 05.09.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. *Similarly situated co-accused Vikram Kumar @ Vikram Yadav has been granted bail vide order dated 09.01.2024, passed in Cr. Misc. No. 79032 of 2023 by this Court.*

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and



circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Belhar P.S. Case No. 383 of 2023 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 Additional District & Sessions Judge III, Banka.

(Sunil Kumar Panwar, J)

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