

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15631 of 2024

Arising Out of PS. Case No.-98 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Chandan Saw@ Chandan Sav @Chiran Jiwi Kumar @ Chiran Jivi Kumar
Son Of Ramsagun Sah @ Sugandh Sav Resident Of Village- Nagdah, Ward
No. 11, Ps- Muffasil, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-03-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 302, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, while the husband of informant was returning after attending a negotiations, he was informed about firing having taken place, then co-accused Gajendra Kumar and Surendra Mahto offered to accompany him to his house and when they arrived there, 4-5 unknown persons surrounded the husband of informant and opened fire causing his immediate death. Informant suspects the role of co-accused Gajendra Kumar in the alleged murder of her husband, since co-accused Gajendra Kumar was also dealing with the land.



4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. His name has transpired during course of investigation. Informant is not an eye-witness of the alleged occurrence. One of the co-accused Surendra Mahto, who is named in F.I.R., has already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 28.07.2023 passed in Cr.Misc. No. 40357 of 2023.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai in connection with Muffasil P.S. Case No. 98 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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