

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13095 of 2025

Arising Out of PS. Case No.-415 Year-2023 Thana- DHANARUA District- Patna

Chandan Kumar @ Ghanshyam Kumar, S/o Sri Rajdev Prasad R/o Village-
Sigrampur, P.S- Dhanarua, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
		Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s :		Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 07-08-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Dhanarua P.S. Case No.415 of 2023 registered for the offences punishable under Sections 341, 323 and 504 read with 34 of the Indian Penal Code.

3. The accused/petitioner is named in the FIR and is in custody since 13.10.2024.

4. Allegation against the petitioner is to assault the father of the informant during the occurrence causing head and bodily injuries, due to which, the father of informant succumbed to his injuries. The occurrence alleged to have taken place in the background of land dispute.



5. Mr. Ajay Kumar Thakur, learned counsel while arguing for the petitioner submitted that the present occurrence took place in the background of land dispute, where during the occurrence, several eye witnesses, who are none but the daughter, son and wife of deceased categorically stated that this petitioner along with co-accused Deepak Kumar and Rajdev Prasad assaulted on head of his father. It is submitted that upon postmortem, injury upon head of the father of informant was found fatal and same was single in number caused by hard and blunt substance. It is pointed out that in view of aforesaid the allegation *qua* physical assault on head appears general and omnibus against petitioner. It is further pointed out by Mr. Thakur that having similar allegation co-accused Deepak Kumar and Rajdev Prasad were granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.40088 of 2024 dated 02.08.2024 and Cr. Misc. No.31398 of 2024 dated 05.07.2024. While concluding argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is already completed, and, as such, there is no chance of



tampering with the evidence.

6. Learned APP while opposing the prayer of bail submitted that petitioner has assaulted on head of the father of informant, which proved fatal.

7. In view of aforesaid factual submissions and by considering the version of eye-witness of the occurrence, as discussed aforesaid, which *prima facie* makes allegation *qua* physical assault general and omnibus *qua* petitioner on head of the father of informant on the par of co-accused Rajdev Prasad and Deepak Kumar, who were already granted bail by one of the learned co-ordinate Bench of this Court as discussed aforesaid, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 13.10.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Masaurhi, Patna in connection with Dhanarua P.S. Case No.415 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of



Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of
the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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