

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18821 of 2025

Arising out of PS. Case No.-332 Year-2017 Thana- HAJIPUR SADAR District- Vaishali

Chandan Kumar Son of Late Nand Lal Rai Resident of Village - Chakaima,
P.S. - Hajipur Sadar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s: Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 03-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. This is the second time regular bail application filed on behalf of the Petitioner. Earlier, his bail application was rejected by a Co-ordinate Bench of this Court *vide* order dated 13.09.2024 passed in Cr. Misc. No. 61927 of 2024.

3. The petitioner seeks bail in a case instituted for the offences under Sections 341, 447, 323, 354, 325, 504 and 506/344 of IPC and later on Sections 379 and 302 IPC was added. He has no criminal antecedent.

3. As per the prosecution case, the informant has alleged that the accused persons including petitioner assaulted her on right leg with a lathi when a heated argument was going on between her daughter-in-law, sister-in-law and niece. It is



further alleged that the petitioner had snatched away gold ornaments from the neck of the daughter-in-law. Subsequently, during the course of treatment the informant died.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and even going by plain reading of the FIR it would be evident that the petitioner had assaulted on the leg of the informant. It is further submitted by learned counsel for the petitioner that from the perusal of the post-mortem report it would be evident that it does not corroborate with the allegations levelled in the FIR as the injury is said to be simple in nature and from perusal of the ante-mortem injuries there is no reference of any head injury. It is also submitted by learned counsel for the petitioner that the petitioner has no criminal antecedent and is in custody since 17.05.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that on account of the assault made by the petitioner the right leg of the informant was initially fractured and subsequently she died as such petitioner should not be released on bail.

6. Considering the aforesaid submissions of the par-



ties and also considering the period of custody of the petitioner, the petitioner above named, is directed to be released on bail 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 332 of 2017, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step



for cancellation of bail bond of the petitioner.
However, the acceptance of bail bonds in terms
of the above-mentioned order shall not be de-
layed for purpose of the same or in the name of
verification.

7. It is made clear that the observations, if any,
made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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