

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31088 of 2025

Arising Out of PS. Case No.-176 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Chandan Kumar S/o Dina RAY @ Dinanath Ray R/o Village- Madhopur
Hazari, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Sahebganj P.S. Case No. 176 of 2024, instituted for the offences
punishable under Sectiond 307, 506 and 34 of the Indian Penal
Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner
fired upon the son of the informant due to which he sustained
injury.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner



also submits that there is no direct or specific allegation of any overt act against the petitioner, rather the same is general and omnibus in nature. The allegation against the petitioner is of firing upon the chest of informant's son. There is also no repetition of blow by the petitioner and, as such, there is no intention of the petitioner to kill the informant's son. The petitioner is in custody since 04.07.2024 and has got two criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 18.11.2024 passed in Cr. Misc. No. 61962 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sahebganj P.S. Case No. 176 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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