

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34920 of 2025

Arising Out of PS. Case No.-609 Year-2024 Thana- BASANTPUR District- Siwan

Chandan Prasad @ Chandan Kumar S/O Paras Prasad Village- Korar, Koiri
Tola, P.S.- Basantpur, District- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Javed Aslam, Advocate
For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Basantpur P.S. Case No-609 of 2024, dated-30.09.2024,
registered for the offences punishable under Sections 140(3),
3(5) of the B.N.S., 2023 and later on Section 103(1) of the
B.N.S., 2023 has been added.

3. As per allegation, the Petitioner and co-accused
Sunil Singh had called the victim/deceased to his house.
However, the next day dead body of the deceased was
recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that as per the postmortem report, his



death was caused by antemortem injury caused by sharp weapon. After investigation, charge-sheet has been submitted against the Petitioner and Sunil Singh and one Ravishasnkhar Prasad. The only material in support of the prosecution case is the confessional statement of Sunil Singh, who has confessed that due to illicit relationship of the accused with the wife, he along with the co-accused Ravishankar Prasad has killed him. There is no material against the Petitioner except the allegation that he had called him to his house. He further submits that except the confessional statement there is no other material which could connect the Petitioner with the alleged offence and confession before the police has no evidentiary value because there is no recovery in pursuance of the so called confession of the co-accused before the police.

5. He further submits that the petitioner has been languishing in jail since 18.10.2024.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently



opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below in connection with Basantpur P.S. Case No-609 of 2024 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has



concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

Chandan/
Md. Rashid-

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