

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40142 of 2024

Arising Out of PS. Case No.-754 Year-2020 Thana- NAWADA District- Nawada

Chandan Kumar Son Of Late Chhotan Singh Resident Of New Area
Hanuman Nagar, P.S. - Nawada, District – Nawada

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 18-06-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in a case registered for the offences punishable 341, 323, 379, 504, 308 and 506/34 of the Indian Penal Code to which Section 302 was added subsequently.

3. As per the prosecution case, the informant has alleged that due to a construction in his house, there was a dispute with the petitioner and others and subsequently a confrontation took place and it is alleged that the petitioner assaulted on the head of the father of the informant with a Garasa with an intention to kill due to which the father of the



informant sustained grievous injuries. The further allegation against the petitioner is that he assaulted others and had snatched a gold chain, etc.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case and there is a general and omnibus allegation against all the accused persons to have assaulted the father of the informant and others. The learned counsel has further submitted that from the perusal of the injury report, it would suffice that the injuries though were found to be grievous but the injured namely Bhushan Singh survived for almost 16 days and thereafter he died during the course of treatment. The learned counsel has pointed out that from perusal of the postmortem report, it would be evident that the cause of death has been shown to be due to postoperative intracranial infection. Learned counsel has lastly pointed out that the charges have already been framed on 06.06.2025 and the petitioner is ready to appear on each and every date and shall assist in the disposal of the trial and he has been in custody since 30.11.2023.

5. The learned counsel for the informant as well as the learned APP for the State opposed the prayer for bail of the petitioner. The learned counsel for the informant has stated that



there is a specific allegation against the petitioner of having assaulted the father of the informant, causing severe head injury resulting in his death. The learned counsel for the informant has pointed out that the petitioner, after rejection of his anticipatory bail application in the year 2021, evaded for the next two years and subsequently he was arrested by the police. Learned counsel for the informant has also submitted that on account of the disappearance of the petitioner, the trial was bifurcated and the trial of other accused persons has concluded and it has lastly been submitted that if the petitioner is enlarged on bail, the trial would again suffer because of the petitioner who had absconded earlier.

6. Considering the aforesaid submissions and the nature of the allegations, I am not inclined to release the petitioner on bail. The application is rejected.

7. However, the learned trial Court is directed to expedite the disposal of the trial of Sessions Trial No. 592 of 2024 and it is expected that the trial should be conducted on a day-to-day basis and the same shall be concluded within a period of six months. It is also directed that no unnecessary adjournment shall be granted to either of the parties.

8. It goes without saying that if it is found that the trial is



being delayed due to the informant side, the petitioner shall be at liberty to approach this Court bringing the said facts on record.

(Sourendra Pandey, J)

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