

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37605 of 2025

Arising Out of PS. Case No.-81 Year-2023 Thana- AKBARPUR District- Nawada

Chandan Kumar son of Basant Singh Shakarpura Ps- Nemdarganj District-
Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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

ORAL ORDER

2 23-06-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. Earlier the anticipatory bail of the petitioner was rejected vide order dated 25.03.2025 passed in Cr. Misc. No. 7524 of 2025 (Annexure- 9).

3. The petitioner seeks bail in connection with Akbarpur P.S. Case No. 81 of 2023, instituted for the offences punishable under Sections 341, 323, 307, 379 and 34 of the Indian Penal Code.

4. The prosecution case, in short, is that, the petitioner along with other co-accused persons went to the shop of informant where his brother was present and demanded extortion from him. On denial, the accused persons assaulted



informant's brother by means of iron rod and the petitioner gave shovel blow due to which he sustained injuries and the accused persons fled away from the spot.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner was not arrested on the spot. On perusal of the FIR, it appears that there is no mention of date and time of the occurrence. It is next submitted that the petitioner has been implicated in this case only on the basis of suspicion. The injury received by the injured is simple in nature which is on non-vital part of the body. The petitioner is in custody since 29.03.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 04.04.2025 passed in Cr. Misc. No. 7568 of 2025.

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

7. 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.

8. 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 Akbarpur P.S. Case No. 81 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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