

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60197 of 2025

Arising Out of PS. Case No.-457 Year-2023 Thana- KUDHNI District- Muzaffarpur

Chandan Kumar S/o Sukal Sahni @ Sukul Sahni Resident of Village- Chhajan
Bishunpur, PS- Kudhani (Turki OP), Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bipin Chandra, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-09-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kudhani P.S. Case No. 457 of 2023 dated 07.09.2023 registered for the offences punishable u/ss 302 and 120B read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, on 04.09.2023, the informant's son namely, Ashutosh Kumar was returning to his home from Haldiram Hotel after his duty of guard and in the evening, he informed that he was passing Atithi Hotel and would reach within one hour but he did not reach. Later, his mobile became unreachable. The informant sent her elder son



namely Rahul with Rohit Kumar to search but they could not find him. On 05.09.2023 at about 11.30 A.M., villagers informed that a dead body was found with hands and legs tied in a canal near Darjiyan Siphon. Later, the dead body was identified by the villagers and the family members as the son of the informant. It is further alleged that the deceased had no enmity with anyone but there was a land dispute for the past two years with the co-accused person namely, Basawan Choudhary and others and for the said dispute a case vide Kudhani P.S. Case No. 680/2020 was also lodged.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in the confessional statement of the co-accused, Akash Kumar. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence. The co-accused person has already been granted bail by a Coordinate Bench of this court vide order dated 08.05.2024 passed in Cr. Misc. No. 18684/2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 08.05.2025.

5. Learned A.P.P. for the State has vehemently



opposed the bail petition of the petitioner and submitted that the petitioner is involved in the commission of murder of the informant's son which is evident from para nos. 114 and 115 of the case diary. As per the post-mortem report of the deceased, the deceased died due to asphyxia from strangulation.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with Kudhani P.S. Case No. 457 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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