

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53133 of 2025

Arising Out of PS. Case No.-163 Year-2025 Thana- BEGUSARAI TOWN District- Begusarai

Chandan Kumar, S/o Late Ram Balak Singh, R/o Village-Nayagaon, P.S.-
Nayagaon, Dist.- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Senior Advocate
		Mr. Pushpendra Kumar Singh, Advocate
		Mr. Satish Kumar, Advocate
		Ms. Divya Bharti, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 08-10-2025 Heard learned senior counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection

with Begusarai Town P.S. Case No.163 of 2025 registered for

the offences punishable under Sections 103, 61(2) of the

Bhartiya Nyaya Sanhita (for short 'B.N.S.') and Section 27 of

the Arms Act.

3. The accused/petitioner is not named in the FIR

and is in custody since 25.04.2025.

4. As per FIR, some miscreants committed murder

of one Ajit Mahto, a nearby resident of clinic of Dr. Prabhakar



Thakur.

5. Mr. P.N. Shahi, learned senior counsel appearing for petitioner submitted that in fact the mother of petitioner was under treatment of Dr. Prabhakar Thakur since last one and half years and in said connection, he was present in the clinic of Dr. Prabhakar Thakur and having otherwise no connection with present occurrence but, he was implicated through confessional statement of co-accused person due to his criminal antecedents. It is submitted that even as per confession, the allegation to cause fatal firearm injury is specifically available against co-accused Prashant and Shivam. Mr. Shahi further submitted that despite of claim of informant that he could identify the staffs and assailant, no T.I.P. was conducted and, therefore, the charge-sheet against the petitioner was submitted purely on the basis of suspicion arising out of confessional statement of co-accused person. While concluding argument, it is submitted that as investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence. Explaining criminal



antecedent of the petitioner, it is submitted that the petitioner found involved in eleven more criminal cases, where after trial, the petitioner acquitted in five cases and as such, effectively only six criminal cases are pending against him, where he is on bail and these cases are of petty nature related with Excise.

6. Learned APP while opposing the prayer of bail submitted that the petitioner actively participated during the occurrence.

7. In view of aforesaid factual submissions and by taking note of fact as save and except suspicion arising out of confessional statement of co-accused, *prima facie*, nothing incriminating appears against the petitioner as to connect him with present occurrence of murder, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 25.04.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection



with Begusarai Town P.S. Case No.163 of 2025 subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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