

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78807 of 2024

Arising Out of PS. Case No.-482 Year-2023 Thana- SAUR BAZAR District- Saharsa

Chandan kumar @ Chandan Sah Son of Chhote Lal Sah Resident of Golma
Basa Tola, Ward No. 18, P.S.- Saurbazar, District -Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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

ORAL ORDER

3 19-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sour Bazaar P.S. Case No. 482 of 2023 dated 18.08.2023 registered for the offences punishable under Section 341, 323, 302, 379, 504, 506 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, when the informant's mother was going to deposit money in the bank, the petitioner and the co-accused person holding lethal weapons came and surrounded the informant's mother and started abusing her, on being objected by her, upon the order of Chandan Kumar, the co-accused Dilkhush Kumar fired on the informant's mother



which hit her left temple causing severe injury. The other co-accused persons also assaulted her with fists and legs due to which she died and the petitioner, Chandan Kumar also snatched Rs. 45,000/- from the informant's mother.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The specific allegation of firing is against the co-accused, Dilkhush Kumar. The other co-accused person has been granted regular bail by this court vide order dated 25.09.2024 passed in Cr. Misc. No. 63391/2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the petitioner is an order giver. As per the post-mortem report, the cause of death is due to injury on the vital organ i.e., brain, caused by firearm.

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation against the petitioner, I am of the view that no case for grant of anticipatory bail is made out. The petition is rejected and the petitioner is directed to



surrender to the Court below within six weeks from the date of this order and the Court below may consider the prayer of the bail of the petitioner in accordance with law and on its own merits without being prejudice by this order.

7. This application stands rejected.

(Chandra Prakash Singh, J)

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