

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83190 of 2025**

Arising Out of PS. Case No.-526 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Chandeshwar Rai @ Chandra Shakhar Rai @ Baba @ Pathak Baba son of
sindeshwar Rai @ Abodh Pathak Resident of Village - Ratiya @ Radhiya, P. S
- Mahrajganj, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 09-02-2026 Heard the parties.

2. The petitioner seeks bail in connection with Sadar P.S. Case No. 526 of 2021 registered for the offence under Sections 302, 394 of the I.P.C. and Section 27 of Arms Act.

3. The petitioner is named in the F.I.R. and is in custody since 21.10.2021.

4. The allegation against the petitioner is to commit murder of the son of the informant alongwith other co-accused persons while committing robbery.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner was not



arrested at the place of occurrence and the person who claimed to be present at the time of occurrence has never joined TIP. It is submitted that name of this petitioner transpired on the basis of confessional statement of co-accused namely Sanjay Kumar Paswan @ Sanjay Kumar who has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 25168 of 2022 dated 26.09.2022. It is submitted that merely on the basis of suspicion arising out of confessional statement, petitioner remains in custody for more than 4 years and still this matter is pending for examination of prosecution witnesses.

6. Explaining criminal antecedent, it is submitted that petitioner found involved in five more criminal cases where he is on bail and in maximum of cases his name transpired on the basis of confessional statement as of the present case. It is pointed out that criminal antecedent is also one of the reason creating suspicions *qua* involvement of petitioner with present crime in



question.

7. Learned APP opposed the prayer of bail.

8. In view of aforesaid factual submission and by taking note of fact as except suspicions arising out of confessional statement of co-accused nothing incriminating material surfaced during investigation as to connect petitioner *prima-facie* with present crime in question, coupled with fact that petitioner remains in custody for more than 4 years in connection with present case i.e., since 21.10.2021, accordingly petitioner above named, is directed to be released on bail in connection with Sadar P.S. Case No. 526 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

Sudha/-

U		T	
---	--	---	--

