

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36468 of 2015

Arising out of PS.Case No. -592 Year- 2014 Thana -KRITYANAND NAGAR District- PURNIA

Devendra Chauhan, son of Late Awadh Lal Chauhan, R/o Gadhiya Balua,
P.S.- K. Nagar, District- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Dr. Bidhu Ranjan, Advocate.

For the Opposite Party : Mr. Raj Ballabh Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 29.05.2015
in connection with K. Nagar P.S. Case No. 592 of 2014 for the
offences instituted under Section 302/34 of the IPC.

The prosecution story, in brief, is that the wife of the
deceased son, Jagdish Chauhan, died ten years ago without any
issue and villagers Devendra Chauhan and Sikandar Chauhan got
land dispute with his deceased son and since 5-6 months usually
both brothers used to contact him for resolution of the dispute and
wife of Devendra Chauhan, namely, Lalita Devi, used to provide
delicious food in the night to his deceased son Jagdish Chauhan
and since last few days, Devendra Chauhan and Sikandar Chauhan



left contact with his son as his son has not resolved the dispute of land. Devendra Chauhan due to non-settlement of land dispute became aggressive with his son. It is further stated that on 28.10.2014/29.10.2014 at 3.00A.M. in the morning as usual his son went to see his field where all the accused persons named in the FIR assaulted him by means of Lathi, Danda and Rod as a result of which, his son became injured and after hearing the sound, the informant alongwith family members went and saw Devendra Chauhan, Lalita Devi and Om Prakash Chauhan fleeing. The informant brought his son to Sadar Hospital where he succumbed to the injuries. It is further alleged that all the accused persons have killed his son.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 29.05.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. There is general and omnibus allegation against the petitioner. No specific injury has been attributed against him.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the

petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnea in connection with K. Nagar P.S. Case No. 592/2014.

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(Sudhir Singh, J)