

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28292 of 2017

Arising Out of PS.Case No. -186 Year- 2016 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

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Raj Kumar Chaudhary @ Hanuman Chaudharys/o Late Sarju Chaudhary,
R/v Bemta Nawadih, P.S. Magadha Medical, Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 31-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 27.03.2017 in connection with Magadh Medical P.S. Case No. 186 of 2016 for offences punishable under Sections 302, 201/34 of the Indian Penal Code.

The prosecution case, as lodged by the brother of the deceased, Rajendra Yadav is that the petitioner came to his house and took away the deceased and the deceased did not return and after search, his body was found near the river.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case and that no overt act has been committed by the petitioner. He further submits that there is no eye witness to the



alleged occurrence and only on the basis of the statement of his wife, before the police his name surfaced. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail stating therein that the informant's brother was last seen with the petitioner and even the petitioner's wife has implicated the petitioner along with two other co-accused for the alleged offence, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage and accordingly, his such prayer stands rejected in connection with Magadh Medical P.S. Case No. 186 of 2016 pending in the Court of learned C.J.M., Gaya.

(Nilu Agrawal, J)

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