

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.227 of 2018**

Arising Out of PS.Case No. -274 Year- 2016 Thana -ISLAMPUR District- NALANDA  
(BIHARSHARIFF)

=====

DAYANAND PRASAD @ DAYANAND CHAUHAN @ DAYAL NAND  
PRASAD @ DAYALNAND CHAUHAN @ DAYANAND NONIA Son of  
Late Baso Chauhan, Resident of Village- Bhagwanpur, Police Station-  
Islampur, District- Nalanda.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Md. Fahimuddin

=====

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

3      17-02-2018                      Heard learned counsel for the petitioner and  
learned counsel for the State.

The petitioner has been in custody since  
10.10.2017 in connection with Islampur P.S. Case No.  
274 of 2016 for the offence registered under Section 302  
of the Indian Penal Code.

Learned counsel for the petitioner submits that  
though the petitioner is named in the *fardbeyan* yet the  
two wives have given two different versions before the  
police which cast a serious cloud on the prosecution story.



It is further submitted by learned counsel for the petitioner that it has also come on record that the first wife of the deceased was living separately from the second wife, who has given the first *fardbeyan*.

Diary of the present case was called for which has since been received.

On perusal of the case diary, it appears that one Saroj Devi, who was the first wife of the deceased had given a version to the effect that the petitioner along with others had called out the deceased from her house. However, at the first instance when the first information report was lodged, the said Sweta Devi was present along with the first wife and no such statement was incorporated in the first information report.

Considering the contradictory statements made by the two wives and also because the petitioner has no criminal antecedent and has been roped in on mere suspicion, 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 Additional Chief Judicial Magistrate –III, Hilsa, Nalanda in connection with Islampur P.S. Case No.



274 of 2016.

Jagdish/-

(Anjana Mishra, J)

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

