

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42525 of 2018

Arising Out of PS.Case No. -110 Year- 2015 Thana -NAUTAN District- SIWAN

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1. Krishna Mohan Chauhan Son of Radheshyam Chauhan @ Radhey Shyam Mahato, resident of Village - Murar Patti, Pandey Tola, P.S. - Nautan, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-08-2018 Learned counsel for the petitioner seeks permission to make necessary correction in the bail petition during course of day.

Permission is granted.

The petitioner apprehends his arrest in Nautan P.S.
Case No. 110/2015, instituted for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

In the written report, it is alleged that son of the informant had cooked meat at the shop near school. He along with villagers Prakash Chauhan, Amit Kumar Chauhan and Shambhu Kumar Ram had taken meal. Thereafter, they all went to their house but the son of the informant did not return and the dead body of the son of informant was found in the paddy field of Krishna Pandey on 07.08.2015 at about 4 A.M. The informant



went there on hulla and identified the dead body of his son. He found one black spot on neck of the deceased and suspected that the petitioner might have killed his son. From the mobile phone of the deceased, it appears that he had talked on two mobile phone numbers as mentioned in the written report.

Learned counsel for the petitioner has submitted that the petitioner is not named in the F.I.R. His name has come during investigation only on suspicion that the deceased had illicit relation with Bhagmani (wife of this petitioner). Bhagmani Devi has already been granted anticipatory bail by this Court in Cr. Misc. No. 53477/2017 dated 05.12.2017.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Nautan P.S. Case No. 110/2015, he shall be released on anticipatory 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 A.C.J.M. XII, Siwan, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall



be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J.)

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