

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42330 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- AGRER District- Rohtas

Phulchand Chaudhary @ Pulchand Kumar S/o Dudheshwar Chaudhary, R/o
Village- Bhagwanpur, P.S.- Agrer, District- Rohtas.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

3 30-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Agrer P.S. Case No. 23 of 2019
registered for the offences punishable under Sections 302, 201
and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that there is
no specific allegation against the petitioner but he had been
implicated in this case because he happened to be the brother of
the lady Suman Devi @ Chuman Devi. Learned counsel further
submits that the allegation that there had been some enmity
between the family of the deceased and Suman Devi are entirely
old matter and there had been a settlement/compromise at least
one year back between the parties.



Learned A.P.P. for the State submits that as per investigation there had been some illicit relationship between the said Suman Devi and the deceased which was being objected to by the family members. In course of investigation it has come that the deceased had received a call from the mobile phone of one Prakash Chauhan who happened to be the husband of Suman Devi. It has also come in course of investigation that the father and brothers of said Suman Devi had been involved alongwith her husband in killing of the deceased. A charge-sheet has been submitted against some of the accused persons who have surrendered whereas the supplementary investigation as against the petitioner is still going on.

In the given facts and circumstances of the case, after going through the materials collected by the Investigating Officer, this Court finds that there are some materials which are indicating towards the reasons and involvement of this petitioner and, therefore, the Court is not inclined to grant privilege of anticipatory bail to the petitioner. If the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, the same shall be considered on its own merit without being prejudiced by the order of this Court. However, it will be an independent consideration by the



court below considering the parameters of regular bail.

(Rajeev Ranjan Prasad, J)

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