

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1692 of 2020

Arising Out of PS. Case No.-838 Year-2019 Thana- FORBESGANJ District- Araria

ASHOK CHOUHAN Son of Ful Kumar Chouhan Resident of Kathara
Chouhan Tola, ward no.3, P.S-Forbesganj, District-Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate Mr. Amresh Kumar Sinha, Advocate Ms. Pretty Kunwar, Advocate
For the Opposite Party/s :		Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Heard learned Senior Counsel for the petitioner and

learned APP for the State.

The petitioner in this case is seeking regular bail in connection with Forbesganj P.S. Case No. 838 of 2019 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Learned Senior Counsel for the petitioner submits that there is general and omnibus allegation against all the five named accused persons including this petitioner. It is further submitted that co-accused Ful Kumar Chouhan has been admitted to regular bail by the learned co-ordinate Bench of this Court vide Cr. Misc. No. 80066 of 2019 in which from the post mortem report it was noticed that there is one injury on the occipital region and two other injuries on right part of lower lips



and on the right elbow and found the allegation to be exaggerated one. It is further submitted that the petitioner has no criminal antecedent and is in custody since 31.08.2019.

Learned APP has opposed the prayer of regular bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned Senior Counsel for the petitioner that altogether five persons are named in the FIR, there are general and omnibus allegations against all the named accused persons including the present petitioner and that the learned co-ordinate Bench while considering the regular bail of the co-accused Ful Kumar chouhan has noticed that on perusal of the post mortem report only one injury is on the occipital region and two other injuries are on right part of lower lips and on the right elbow have been found and that after noticing the submission that the allegations are highly exaggerated, co-accused has been granted privilege of regular bail in Cr. Misc. No. 80066 of 2019 as also this petitioner has got no criminal antecedent and is in custody since 31.08.2019, let the petitioner above named be released on bail in connection with Forbesganj P.S. Case No. 838 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount



each to the satisfaction of learned C.J.M., Araria, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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