

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8127 of 2020

Arising Out of PS. Case No.-120 Year-2018 Thana- NIMCHAKBATHANI District- Gaya

Prakash Chowhan, aged about 52 years, gender-male, Son of Rameshwar Chowhan Resident of Village - Ganpat Nagar, P.S.- Nimchak Bathani, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Archana Sinha @ Archana Shahi

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 07-09-2020 Heard Ms. Archana Sinha @ Archana Shahi, learned counsel for the petitioner, Mr. ishwa Ranjan Choudhary, learned counsel for the Informant as also Mr. Lalan Kumar, counsel for the State.

In this case, the petitioner is seeking bail in connection with Nimchak Bathani P.S. Case No. 120 of 2018 registered for offences punishable under Sections 302, 201/34 of the Indian Penal Code.

In the present case, the allegation is that the deceased had gone along with the petitioner and his associate but, thereafter, he did not return and his dead body was found in the Badhar.

In the F.I.R., it has been stated that the deceased had



given money to the petitioner and the petitioner had asked the deceased to go along with him for return of the money but, thereafter, he did not return and his dead body was found.

Learned counsel for the petitioner submits that in the entire Case Diary, there is no statement as to what was the amount the deceased had given to the petitioner and it is not expected from the person like deceased, who was doing the business of toddy, will lend money to the petitioner but, the fact remains in the Case Diary that the deceased had gone along with the petitioner and his associate and, thereafter, his dead body was found.

Looking to the entire facts and circumstances of the case as also consideration of the nature of allegation made against the petitioner, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner, above named, is rejected for the present.

(Shivaji Pandey, J)

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