

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25097 of 2020

Arising Out of PS. Case No.-93 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

SONU CHAURASIA @ MUNNA Son of Hari Prasad Chaurasia R/o Village-
Karigaw, P.S.- Mohania, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-10-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner seeks bail in Mohania P.S. case No. 93 of 2020 registered u/s 302, 201/34 of the IPC.

The informant alleged that his son, Bijendra Kumar, left his house on 27.03.2020 at 4 PM and he was traceless. The informant searched his son in the whole night. On the next day at about 11 in the morning the informant got information from the police of Mohania that dead body of his son, Bijendra Kumar, was found and the dead body was taken to Sadar Hospital for post mortem. The informant gave information to the police on 29.03.2020.

The learned counsel for the petitioner submits that the



informant lodged the case against unknown on the next day after recovery of the dead body. The informant did not name anybody but the informant and his wife in subsequent statement recorded in paragraph 6 and 7 of the case diary suspected the hands of the petitioner and other accused persons that they might have killed his son and concealed his dead body in a dilapidated house. It is further submitted that in paragraph 46 of the case diary confessional statement of Harishanker Nishad @ Chintu Choudhary has been recorded. Similarly, in paragraph 66 of the case diary two line confessional statement of the petitioner has been recorded. Paragraph 84 of the case diary shows the supervision note. Save and except confessional statement of co-accused, including the petitioner, before the police there is absolutely no material to show the involvement of the petitioner in the killing of son of the informant.

The learned APP did not dispute the facts.

It appears that informant at the first instance did not name any person and during the course of the investigation the informant and his wife named the petitioner and other accused persons and suspected that they might have killed the deceased, son of the informant. The police during the course of investigation simply obtained the confessional statement of the



petitioner and Harishanker Nishad @ Chintu Choudhary and submitted charge sheet and no other tangible material is collected.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named, is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. case No.93/2020.

(Prabhat Kumar Jha, J)

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