

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2816 of 2020

Arising Out of PS. Case No.-65 Year-2018 Thana- GOPALGANJ TOWN District- Gopalganj

Dilip Chaurasiya, Son of Ganesh Chaurasiya Resident of Village-Sareya
(Ward No.3), P.O, P.S. and District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5

For the Opposite Party/s : Mr.Rajendra Nath Jha

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Gopalganj Town P.S. Case No. 65 of 2018, registered
under Sections 302 and 120B/34 of the Indian Penal Code.

The accusation is that Birendra Yadav, father of the
informant, Manoj Yadav, along with his friend (Ajay Patel) had
gone in the morning of 13.02.2018. At about 7 A.M., informant
received information from villagers about the murder of his
father and his friend (Ajay Patel) at Sadhu Chouck. Thereafter,
informant along with his father and villagers went there then
saw the dead body of his father and his friend (Ajay Patel). The
informant raised suspicion about murder of his father and his



friend (Ajay Patel) by unknown under conspiracy.

Learned counsel for the petitioner submits that it would appear from the FIR that after seeing the dead body of Birendra Yadav, father of informant and Ajay Patel, Gopalganj Town P.S. Case No. 65 of 2018 was instituted on 13.02.2018 against unknown and later on, Nitu Devi, wife of deceased, Ajay Patel, gave an application before the Investigating Officer to the effect that at the time of occurrence, she was also behind her husband and at that time, Delip Chourasia, Lal Babu Sharma and some unknown persons came and committed the murder of her husband, Ajay Patel and Birendra Yadav and at that time, she was also assaulted and she also claimed that she had taken to both injured at Hospital, where they died. In fact, due to dirty village politics, petitioner has falsely been implicated in the present case. Further submission is that it would appear from the FIR that when the informant and his family members went near dead body of his father, Birendra Yadav and Ajay Paten, none was present there.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj Town P.S. Case No. 65 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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