

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17490 of 2021

Arising Out of PS. Case No.-53 Year-2020 Thana- NTPC KHAIRA District- Aurangabad

1. RAJARAM CHAUHAN @ RAMRAJ CHAUHAN, Son of Lalan Chouhan @ Lalan Jamadar, Resident of Village- Narayanpur, P.S.- N.T.P.C. Khaira, District- Aurangabad.
2. Chhotelal Chauhan Son of Lalan Chouhan @ Lalan Jamadar, Resident of Village- Narayanpur, P.S.- N.T.P.C.- Khaira, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	M/s Vaishnavi Singh, Santosh Chandra Bhaskar, Advocates
For the Opposite Party/s	:	Mr. Yogendra Kumar Singh, APP
For the Informant	:	Mr. Bhashkar Shankar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 28-09-2021 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the informant.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 363 and 365 of the Indian Penal Code.

As per the prosecution case, the 23 year old son of the informant went out from the house after receiving a call stating that he would return back. Neither did he return nor was he to be found inspite of search.

It is submitted by learned counsel for the petitioners that the FIR was registered against unknown. No suspicion was



raised by the informant against any person in the FIR. The name of the petitioners transpired in course of investigation when suspicion was raised that the deceased was having a love affair with the daughter of the petitioner no. 1 who also happened to be the niece of the petitioner no. 2. It is submitted that besides the unsubstantiated suspicion, there is no other material in the case diary to connect the petitioners with the alleged crime. Admittedly, there is no eye witness to the occurrence. The petitioners have no criminal antecedent and are in custody since 5.3.2020.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that in course of investigation it transpired that it was as a result of the love affair between the deceased and the daughter of the petitioner no. 1 that the deceased was done to death. Various articles belonging to the deceased was recovered and identified by the members of his family.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the petitioners having remained in custody for more than 11 months, both the petitioners are directed to be



enlarged on bail in connection with NTPC Khaira P.S. Case no. 53 of 2020 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate V, Aurangabad.

(Partha Sarthy, J)

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