

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27844 of 2021

Arising Out of PS. Case No.-228 Year-2020 Thana- BANKA District- Banka

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Awdhesh Chouhan Son of Vasudev Chauhan Resident of Village - Telaundha,
P.S.- Dhoraiya, Distt.- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Nurul Hoda

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 08-12-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Banka (Barahat) P.S. Case
No. 228 of 2020 corresponding to Sessions Trial No. 4 of 2021,
registered for the offence punishable under Section 363 of the
Indian Penal Code.

As per the FIR, this petitioner called the husband of
informant and husband of the informant went out, but he did not
return. Informant suspected that this petitioner kidnapped her
husband or committed his murder.

It is submitted on behalf of the petitioner that there is
no eye-witness of the occurrence. Only material that has come
against this petitioner is that he called the husband of informant.
Save and except there is no material against him which shows



his complicity in the alleged occurrence. Petitioner is in custody since 22.09.2020.

Learned APP however, vehemently opposed the prayer for bail and submitted that during course of investigation, it has come that mobile tower location of petitioner and the husband of informant has been found at the same place and the husband of informant is still traceless. Petitioner called the husband of informant and he went out and thereafter, he became traceless.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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