

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23020 of 2020

Arising Out of PS. Case No.-299 Year-2019 Thana- NAWADA MUFFASIL District- Nawada

VIKASH CHOUHAN @ BIKASH CHAUHAN Son of Yogendra Chauhan @
Oyogendra Prasad Resident of Village - Lohra, P.S.- Muffasil, District -
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Patanjali Rishi, Advocate
For the informant	:	Mr. Subodh Kumar, Advocate
For the State	:	Mr. Pancha Nand Pandit, A.P.P. .

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 15-01-2021 Heard Mr. Patanjali Rishi, learned counsel for the

petitioner, Mr. Subodh Kumar, learned counsel for the

informant and Mr. Pancha Nand Pandit, learned Additional

Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with

Muffasil P.S. Case No. 299 of 2019 registered for the

offences punishable under Sections 341, 323, 324, 307/34

and 302 of the Indian Penal Code 1860.

The allegation as per the First Information Report

is that the petitioner assaulted the husband of the informant

by means of rod on his head along with other co-accused

persons leading to his death.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive and there is no specific allegation of assault against the petitioner and allegation against him is general and omnibus in nature. Learned counsel further submits that counter case has also been lodged by the wife of the petitioner in Complaint Case No. 1093 of 2019 alleging therein that the deceased had molested the wife of the petitioner. Learned counsel also submits that the petitioner is in custody since 13.11.2019.

On the other hand, learned counsel for the State as well as the informant vehemently opposed the prayer for bail and submits that there is specific allegation of assault against the petitioner inasmuch as he assaulted the husband of the informant on his head by means of rod and charges have already been framed against the petitioner.

Having heard learned counsel for the parties and taking into consideration the materials on record and the fact that the charges have already been framed, I am not inclined to grant regular bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner



stands rejected.

However, the petitioner may renew his prayer for
bail after six months if the trial does not show any progress.

(Anil Kumar Sinha, J)

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