

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31389 of 2020

Arising Out of PS. Case No.-120 Year-2018 Thana- NIMCHAKBATHANI District- Gaya

Karu Chauhan, aged about 39 years, male, Son of Mahabir Chauhan, Resident of Village- Ganpatnagar, P.S.- Nimchak Bathani, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bharat Lal, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 18-01-2021 Heard Mr. Bharat Lal, learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Nimchak Bathani P.S. Case No. 120 of 2018, dated 18.09.2018, instituted for the offences under Sections 302, 201 and 34 of the Indian Penal Code.

It appears from the First Information Report that the petitioner and another were last seen with the



deceased. In fact, as the allegation stands, the deceased had demanded the money which he had given to the petitioner and one Prakash Chauhan and there were exchange of vituperatives against them. In the aforesaid background, a suspicion was raised by the informant that the deceased has been murdered at the hands of the petitioner.

Learned counsel for the petitioner has submitted that there is no eye-witness to the occurrence and, in fact, most of the persons who have stated against the petitioner are none else but the direct relatives of the deceased as well as the informant. The altercation between the deceased and the petitioner had also taken place about fifteen days earlier to the incident. The factum of accommodation loan having been given by the deceased to the petitioner and another has also been kept vague in the accusation.

The petitioner is stated to be in custody since 04.12.2019.

The prayer for bail of co-accused/Prakash



Chauhan, whose case is similarly circumstanced as that of the petitioner, has been rejected by a Bench of this Court *vide* order dated 07.09.2020 passed in Cr. Misc. No. 8127 of 2020.

Regard being had to the entire gamut of facts and taking into account that the prayer for bail of the similarly situated accused person has been rejected, I am not inclined to grant bail to the petitioner for the present.

The prayer for grant of regular bail of the petitioner is, accordingly, rejected.

However, if there is no substantial progress in the trial and which delay would not be attributable to the petitioner, he would be at liberty to approach this Court again for grant of bail.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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