

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37351 of 2020

Arising Out of PS. Case No.-208 Year-2020 Thana- NAUBATPUR District- Patna

PREM CHAUHAN Son of Dina Nath Chauhan Resident of Village- Chari,
P.S.- Naubatpur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arpana Kumari
For the Opposite Party/s	:	Ms. Anita Kumari Singh
For the Informant	:	Mr. Ashok Kr. Sinha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-03-2021 Heard the learned counsel for the petitioner, Ms. Anita Kumari Singh, the learned APP for the State and Sri Ashok Kr. Sinha, the learned counsel for the informant.

The petitioner seeks regular bail in connection with Naubatpur PS case no. 208 of 2020 instituted for the offences punishable under Section 302/34 of Indian Penal Code.

The allegation is regarding the father of the informant having been murdered in the fateful night and when the informant had gone to the shop where the deceased father of the informant was sleeping, he found that his father's neck had been chopped off.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely



implicated in the present case, is having a clean antecedent and is languishing in custody since 21.04.2020. The learned counsel for the petitioner has further submitted that the petitioner has been falsely implicated in the present case, although there is no eye-witness to the alleged occurrence and it is not a case of last seen. It is also submitted that the charge-sheet has already been filed in the present case, hence no prejudice would be caused to the prosecution, in case the petitioner is granted bail.

Per contra, the learned A.P.P. for the State and the learned counsel for the informant have vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also those available in the case diary, this Court finds that there are minuscule evidence so as to connect the petitioner with the alleged crime and moreover, there is no eye-witness to the alleged occurrence, the petitioner is having a clean antecedent as also charge-sheet has already been filed in the present case. Thus, I deem it fit and proper to admit the petitioner to the privilege of bail, accordingly the abovenamed petitioner is directed to be released on bail on furnishing bail



bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of A.C.J.M. III, Danapur (Patna) in connection with Naubatpur PS case no. 208 of 2020.

(Mohit Kumar Shah, J)

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