

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6634 of 2021

Arising Out of PS. Case No.-68 Year-2020 Thana- SISWAN District- Siwan

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DHANANJAY CHAUBEY SON OF KAMALDEW CHAUBEY R/O
VILLAGE- LAUARI, P.S.- RASULPUR, DIST.- SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Uma Shankar Pd. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 23-06-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Siswan Police Station
(Chainpur O.P.) Case no. 68 of 2020 registered under sections
302, 382 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the
informant who is a police personnel that information was
received by him about the murder of a Mahant in the Mandir.
On reaching the place of occurrence it also transpired that one
of the idols had also been stolen.

It is submitted by learned counsel for the petitioner
that the FIR was registered against unknown and the name of



the petitioner transpired in course of investigation. The petitioner was a witness to be inquest. Subsequently, some of the witnesses are stated to have given their statement to the effect that they had seen the petitioner and one another accused running away from the Mandir. They state that the petitioner who wanted to become a Mahanth and who had been looking after the deceased for a long time had committed the murder for the said purpose. There is no eyewitness to the occurrence. With respect to the confession of the petitioner it is submitted that the same is an extra judicial confession. The petitioner who has no criminal antecedent is in custody since 19.4.2020.

The application for bail is opposed by learned APP for the State who submits that a number of witnesses saw the petitioner and other accused running away from the place of occurrence. The murder was committed as the petitioner wanted to become a Mahanth.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, nature of material which has transpired in course of investigation together with the petitioner having remained in custody over 1 year 2 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged



on bail in connection with Siswan Police Station (Chainpur
O.P.) Case no. 68 of 2020 on furnishing bail bond of Rs. 10,000/
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Chief Judicial Magistrate,
Siwan.

(Partha Sarthy, J)

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