

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15750 of 2021

Arising Out of PS. Case No.-838 Year-2019 Thana- FORBESGANJ District- Araria

PARMANAND CHOUHAN @ PAMA CHOUHAN Son of Late
SibuChouhan Resident of Village - KatharaChouhanTola, Ward No.3, P.S-
Forbesganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

Mr. Preety Kunwar, Advocate

For the Opposite Party/s : Dr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per allegations in the F.I.R, while the father of the informant had gone out to ease himself behind his house, it is stated that the accused persons including the petitioner herein caught hold of him and assaulted him with Lathi, Danda, fists etc., as a result of which he fell down unconscious. On the informant and others reaching there, the accused persons escaped. Father of the informant died the next morning.

It is submitted by the learned Senior counsel appearing for the petitioner that the informant is not an eye witness to the occurrence. The petitioner has been falsely



implicated in the case. The findings in the postmortem report do not corroborate the allegations as levelled in the F.I.R. The case of the petitioner stands of a similar footing to that of three other co-accused who have been enlarged on bail vide orders contained in Annexure-3 series. The petitioner is in custody since 29.9.2020 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the general and omnibus allegations levelled in the F.I.R. together with the petitioner having remained in custody for over 10 months and grant of bail to the other co-accused, the Court directs the petitioner to be enlarged on bail in connection with Forbesganj P.S. Case no. 838 of 2019 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, Araria.

(ParthaSarthi, J)

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