

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3570 of 2022

Arising Out of PS. Case No.-120 Year-2021 Thana- MAIRWAN District- Siwan

ARVIND CHAUHAN S/o Gaya Chauhan R/o village- Lakshmipur, P.S.-
Mairwa, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 341, 342, 323, 337, 328, 302 and 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is in custody since 29.09.2021, he is a person with clean antecedent and charge-sheet has been submitted in this case.

The learned counsel for the petitioner further submits that the informant alleges that on 02.05.2021 at about 4.00 P.M., petitioner, Jai Prakash Chauhan and Pawan Rajbhar called Lalu Chauhan, the nephew of the informant, at their house. It is next alleged that they assaulted him and administered poison in cold-



drink, thereafter, it is alleged that the condition of the nephew of the informant started deteriorating in the orchard of Binda Lal. It is next alleged that he was taken to Referral Hospital, Mairwa where he was declared dead on arrival.

The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the entire allegation hinges around suspicion, the informant is not an eyewitness to the occurrence, further if the deceased had any apprehension with the accused persons, then definitely he would not have accompanied them on their mere calling. It is next submitted that co-accused Jai Prakash Chauhan has been granted bail vide order dated 31.03.2022 in Cr. Misc. No. 65353 of 2021.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 29.09.2021, is a person with clean antecedent, charge-sheet has been submitted in the case, informant is not an eye witness to the occurrence, the allegation hinges around suspicion and the co-accused has been granted bail, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Mairwa P. S. Case No.120 of 2021.

(Satyavrat Verma, J)

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