

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47730 of 2021

Arising Out of PS. Case No.-313 Year-2020 Thana- SIRDALA District- Nawada

MAHESH CHOUHAN Son of Atwari Chouhan Resident of Village-
Maharajwan, P.S.- Meshkaur, District- Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-02-2022 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, 201 and 34 of the Indian Penal Code.

As per the prosecution case, on the son of the informant going out to ease himself he did not return and it was subsequently discovered that someone had killed him and hanged him from a tree. The informant further states that there was some dispute between his son on one hand and the accused Kailash Chouhan, Papu Chouhan and Arjun Chouhan on the other and he suspects that these three persons as also Pawan Yadav and Mahesh Chouhan (the petitioner) have a hand in his killing.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Even from the FIR it would transpire that the dispute was between the informant's son on one hand and the three accused namely



Kailash Chouhan, Papu Chouhan and Arjun Chouhan on the other. Arjun Chouhan has been enlarged on bail vide order dated 17.8.2021 passed in Cr. Misc. no. 24340 of 2021. The petitioner is in custody since 14.3.2021 and has no criminal antecedent. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, grant of bail to co-accused Arjun Chouhan and the petitioner having remained in custody for more than 10 months, the Court directs the petitioner to be enlarged on bail in connection with Sirdala (Miskaur) P.S. Case no. 313 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 Addl. District and Sessions Judge, Nawada.

(Partha Sarthy, J)

Prakash/-

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