

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65353 of 2021

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

Jai Prakash Chauhan Son Of Late Ram Naresh Chauhan Resident Of Village -
Laxmipur, P.S.- Mairwa, District - Siwan.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Singh
For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-03-2022 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/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 02.06.2021, 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.,
Arvind Chauhan, Jai Prakash Chauhan (petitioner) and Pawan
Rajbhar called Lalu Chauhan the nephew of the informant at
their house and further, it is 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 further alleged that he was taken to Referral Hospital Mairwa where he was declared dead.

The learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the entire allegation hinges around suspicion. It is submitted that had the deceased in apprehension with the accused persons, then definitely he would not have accompanied them on their mere calling. It is further submitted that informant is not an eye witness to the occurrence and hence, the allegation of administering poison in cold-drink is also based on suspicion.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and informant is not an eye witness to the occurrence and the allegation hinges around suspicion, 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.

The application stands allowed.

(Satyavrat Verma, J)

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