

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66485 of 2021

Arising Out of PS. Case No.-214 Year-2021 Thana- BARUN District- Aurangabad

1. MANGARU CHAUDHARY @ MAGRU CHAUDHARY @ SAROJ CHAUDHARY S/o Bhola Chaudhary R/o village- Dhuriya, P.S.- Barun, District- Aurangabad
2. Salauddin Ansari @ Salahuddin Ansari @ Mohammd Slahudin S/o Islam Sidiki @ Mohammd Islam Siddhiki R/o village- Dhuriya, P.S.- Barun, District- Aurangabad
3. Gautam Chandravanshi @ Gautam Cahndrabanshi S/o Ramasre Chandrabanshi @ Ramashary Singh @ Ramasharay Chaudhary R/o village- Dhuriya, P.S.- Barun, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-04-2022 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 363 and 365 of the Indian Penal Code.

As per the prosecution case, the son of the informant disappeared on 29.7.2021 at 7.30 pm. It is further stated that the four accused persons including the petitioners herein had threatened him two days prior to his disappearance. The informant was convinced that they have a hand in disappearance of his son.



It is submitted by learned counsel for the petitioners that the three petitioners are named in the FIR. However, from the contents of the FIR it would transpire that only an unfounded and unsubstantiated suspicion has been raised against them. Referring to the order of the learned trial court rejecting the application for bail of the petitioners it is submitted that the material that has transpired in course of investigation has been dealt with in detail in the order of the learned court below. From the same it would transpire that paragraph no. 38 deals with the postmortem report wherein the cause of death is said to be asphyxia, cardio respiratory failure and ultimate death due to drowning in water. There is no eye witness to the occurrence and chargesheet has been submitted under sections 306 and 34 of the Indian Penal Code.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the contents of the postmortem report together with the chargesheet having been submitted under sections 306 and 34 of the Indian Penal Code, the petitioners are directed to be enlarged on bail in connection with Barun P.S. Case no. 214 of 2021 on each of them 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, Aurangabad.

(Partha Sarthy, J)

Spd/-

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