

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32406 of 2023

Arising Out of PS. Case No.-329 Year-2022 Thana- GOGRI District- Khagaria

Chitranjan Chaurasiya @ Chitranjan Kumar Chaurasiya S/O- Late Panchlal
Mandal Village- Pitaunjhiya Ps- Gogri Dist- Khagaria, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case
instituted for the offence under Sections 302/34 of the
Indian penal Code.

It is a case of commission of murder to the
informant's father, namely, Rajendra Pd. Chaurasiya. Three
FIR named accused persons came to the informant and
suddenly started to abuse and assault. On protest, petitioner
tossed him down on the ground. When informant's uncle
came there to rescue him all the accused persons fled away
from there.

It is submitted by learned counsel for the



petitioner that petitioner has been falsely implicated in this case. Petitioner died a natural death as he is old man aged about 70 years and three years earlier he had undergone for by-pass surgery. Both parties are agnates and due to land dispute the alleged occurrence took place at the spur of moment. There is no allegation of repetition of assault. As per postmortem report, doctor opined cause of death due to shocked and CRF due to falling on hard substance. After investigation, chargesheet has been submitted u/s 304 IPC. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 24.3.2023.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that petitioner is named in the FIR. As per postmortem report, doctor opined cause of death due to shock and Cardiac respiratory failure.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above



named petitioner is directed to be enlarged on bail on
furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)
with two sureties of the like amount each to the satisfaction
of the learned CJM, Khagaria in connection with Gogri P.S.
Case No. 329 of 2022.

(Sunil Kumar Panwar, J)

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