

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35815 of 2023

Arising Out of PS. Case No.-401 Year-2022 Thana- BARH District- Patna

ASHOK CHAUHAN son of Birje Chauhan @ Brijendra Chauhan Village-
Saidpur Ps- Barh Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of regular bail, arises out of
Barh Town Police Station Case No. 401 of 2022, dated
27.06.2022, disclosing offences under Sections
447/448/451/452/302/307/504/506 of the Indian Penal Code.

The prosecution case, on the basis of First
Information Report, is that on 25.06.2022, when the *akhand
keertan* was organized in the temple of the Saidpur village,
some children of the village, who were playing there, had a fight
amongst them. On the next date, on 26.06.2022, at about 08:00
PM, altogether eight persons arrived at the house of the
informant and started abusing the informant and pulled her on
the ground. When her husband came to save her, the petitioner



assaulted the husband of the informant on his head with iron rod due to which he died during the course of treatment.

Learned counsel for the petitioner submits that there was no intention on the part of the petitioner to cause death to the deceased and it was due to sudden provocation, during the course of scuffle between the parties, one blow from iron rod was given to the deceased causing head injury and subsequent death. Learned counsel further submits that the petitioner has got no criminal antecedent and he is in custody since 28.06.2022. He next submits that charge sheet has already been submitted and there is no likelihood that the petitioner will abscond and or temper with the evidence, if released on bail.

Regards being had to the submissions made by the parties and taking into consideration that the petitioner is in custody for one year having no criminal antecedents and there is no likelihood that the petitioner will abscond and or temper with the evidence, accordingly, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of



learned Chief Judicial Magistrate, Barh at Patna in connection to
the Barh Town Police Station Case No. 401 of 2022.

(Anil Kumar Sinha, J)

ashwani/-

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