

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46799 of 2023

Arising Out of PS. Case No.-184 Year-2023 Thana- NARHATT District- Nawada

1. Ramdev Chauhan Late Latan Chauhan R/O Village- Gajahar, P.S- Nemdarganj, Distt.- Nawada.
2. Mathura Chauhan S/O Late Chamari Chauhan R/O Village- Kalaundiya, P.S- Rупpo, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manisha Prakash, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 11-08-2023 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

2. The petitioners seek bail in connection with Narhat
P.S. Case No. 184 of 2023 registered for the offence under
Sections 302, 201, 34 of the Indian Penal Code.

3. The accused/petitioners are not named in the F.I.R.
and are in custody since 07.05.2023.

4. As per F.I.R., the dead body of a male human,
appears to be aged about 60-65 years, was found in open
agriculture field referred locally as Daai Bigha, Daritola Badhar.
It appears that external injuries on head, eyes, back and on other
body parts were noticed upon the dead body, where it was



suspected that after committed murder somewhere else, the body was thrown over there, which, after recovery, was sent to Sadar Hospital, Nawada for identification and post-mortem.

5. Learned counsel appearing on behalf of the petitioners submitted that the deceased, during the course of investigation, was identified as one Bachu Mistri of village Madhopur, where implication of these petitioners appear in this case on the basis of suspicion and self-confession. It is pointed out that reason for suspicion as son of the petitioner found in conversation over mobile with deceased. It is pointed out that mere with this fact i.e., on self-confession, petitioners cannot be implicated with present occurrence of murder where in furtherance of self-confession no incriminating material appears to be recovered during the course of investigation suggesting involvement of these petitioners. While concluding the argument, it has been submitted that petitioners are men of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, and by taking note of the fact as except



suspicion arises out of self-confession and Call Detail Records nothing incriminating appears against these petitioners as to connect them, *prima facie*, with the present occurrence of murder coupled with the fact that charge-sheet has already submitted, where petitioners are in custody since 07.05.2023, accordingly both the petitioners, above named, are directed to be released on bail in connection with Narhat P.S. Case No. 184 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Nawada/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

8. The presence of I.O. of this case is dispensed with.

(Chandra Shekhar Jha, J)

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