

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48468 of 2023

Arising Out of PS. Case No.-334 Year-2022 Thana- WARISLIGANJ District- Nawada

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MUKESH CHAUHAN Son of Late Yogendra Chouhan Resident of village -
Begrajpur, P.S. - Warsaliganj, Distt. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 302/34 of the Indian Penal Code
and Section 27 of the Arms Act.

3. The allegation against the petitioner along with others
is of killing the husband of the informant.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. During investigation, some witnesses have
not supported the prosecution case, they stated that all the accused
persons were involved in committing the murder of the husband of
the informant. Petitioner is languishing in judicial custody since
03.05.2023.



5. Learned APP for the State has opposed the application for bail and submitted that there is specific overt act of firing upon the informant's husband is against the petitioner and co-accused Ranjit Chauhan, due to which he succumbed to injury. As per postmortem report, it appears that the cause of death is haemorrhage as a result of gun-shot injury, which corroborates the prosecution case. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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