

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58353 of 2022

Arising Out of PS. Case No.-228 Year-2022 Thana- CHANPATIA District- West Champaran

Uttam Chaubey @ Uttam Kumar Chaubey Son of Sachchidanand Chaubey
R/V- Chargaha, Sabeya Khurd, P.S- Sirisiya O.P Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate.

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 29-04-2023 Heard Mr. Sanjeev Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Chandra Bhushan

Prasad, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Chanpatiya (Sirsiya O.P.) P.S. Case No. 228 of 2022
registered for the offence punishable under Section 302/34 of
the Indian Penal Code.

3. Considering the nature of allegation made in the
F.I.R. and the materials which are on the record, I am not
inclined to enlarge the petitioner on bail, however the petitioner
may surrender before the court below and seek regular bail
within three weeks, till then no coercive step shall be taken
against the petitioner.

4. The regular bail application of the petitioner is



directed to be disposed of by the court below on the same day without being prejudiced by any order of any court. The court below is required to consider the fact that the specific allegation against the petitioner is that he was having illicit relationship with the wife of the deceased and before that the wife of the deceased had lodged an F.I.R. against the petitioner in which he is on anticipatory bail.

5. The bail application stands disposed of.

(Purnendu Singh, J)

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