

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16695 of 2024

Arising Out of PS. Case No.-559 Year-2023 Thana- KOILWAR District- Bhojpur

Munna Chaudhari, aged about 37 years, Gender-Male, Son of Syamlal Chaudhari, R/O-Ward No. 14, Koilwar, P.S.-Koilwar, Distt.-Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Mrs. Vaishnavi Singh and Mr. Ritwik Thakur, Advocates
For the Opposite Party	:	Mrs. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Koilwar P.S. Case No. 559 of 2023 dated 15.09.2023 registered for the offences punishable under Sections 302, 120B/34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, the co-accused persons and some unknown miscreants are alleged to have killed the informant's elder brother and his dead body was thrown at the side of the *Ara-Chapra Four Lane Road*. It is further alleged that earlier dispute was going on between the deceased and the petitioner and the petitioner also threatened to kill the informant's brother. The deceased was doing the business of



sand with the petitioner for which he was sent to jail and thereafter he was released on bail. In the meantime, the petitioner made wrong calculation of money of the deceased. When the deceased was in jail the petitioner established illicit relationship with the wife of the deceased for which there was dispute between the petitioner and the deceased.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the occurrence took place on 15.09.2023 at about 8.10 A.M. and written report was received at the police station on 15.09.2023 at 16.10 hours and this itself goes to show that after due deliberation the present case has been lodged by the informant. The inquest report of the deceased was prepared on 15.09.2023 at 10.20 A.M. and Lav Kumar and Hareram Singh are the witnesses on the inquest report. It is further submitted that only a vague suspicion has been levelled against the petitioner for committing the alleged crime in question simply on the ground that earlier both were doing business and there was dispute over money and other disputes. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 17.09.2023



5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that as per the paragraph no. 89 of the case diary there was conversation between the petitioner and the co-accused Kush Kumar through their mobiles No. 8825169456 and 7765938669 respectively around the time and place of occurrence. The tower location of the petitioner's mobile no. was found near the place of occurrence. It is further submitted that the petitioner had illicit relationship with the deceased's wife who was also involved in the alleged crime. The deceased's wife started to live separately at Arrah.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in Koilwar P.S. Case No. 559 of 2023, pending in the court of learned C.J.M., Bhojpur, Ara.

7. The application stands rejected.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

