

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22769 of 2024

Arising Out of PS. Case No.-246 Year-2023 Thana- BARAHAT District- Banka

UDAY CHOUHAN @ UDAY KUMAR S/O- NARESH PRASAD CHOCHAN
@ NARESH CHOUHAN R/O- VILLAGE- SHREEPUR, P.S.- BARAHAT,
DIST.- BANKA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 32508 of 2024

Arising Out of PS. Case No.-246 Year-2023 Thana- BARAHAT District- Banka

Yugal Kishore Chouhan son of Krishna Mohan Chouhan Village- Sripur Po-
Ramdiha Ps- Barhat Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 33379 of 2024

Arising Out of PS. Case No.-246 Year-2023 Thana- BARAHAT District- Banka

Ramanand Chouhan SON OF DHARMDEO PRASAD CHOUHAN Resident
of Village - SHREEPUR DHARAMDIHA, PS- BARAHAT, DIST- BANKA

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. The State Of Bihar Advocate general

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 35265 of 2024

Arising Out of PS. Case No.-246 Year-2023 Thana- BARAHAT District- Banka

AMARKANT @ BADAL SON OF BISHWANATH PRASAD CHOUHAN
RESIDENT OF VILLAGE - SRIPUR, P.O. - RAMDIHA, P.S. - BARHAT,
DISTRICT - BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 22769 of 2024)



For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Md. Ataur Rahman
(In CRIMINAL MISCELLANEOUS No. 32508 of 2024)
For the Petitioner/s : Mr.Dhananjay Pandey
For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem
(In CRIMINAL MISCELLANEOUS No. 33379 of 2024)
For the Petitioner/s : Mr.Brij Nandan Prasad
For the Opposite Party/s : Mr.Rina Sinha
(In CRIMINAL MISCELLANEOUS No. 35265 of 2024)
For the Petitioner/s : Mr.Dhananjay Pandey
For the Opposite Party/s : Mr.Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 11-09-2024 Heard learned counsel for the petitioners as well as learned
APP for the State.

2. In these cases, the petitioners are seeking regular bail in connection with Barahat P.S. Case No. 246 of 2023, registered for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation, Madan Sharma (deceased) who was the son of the informant, had gone to visit fair in the evening of 25.10.2023. He apprised the informant that he was going to visit fair along with his friend Md. Hasan @ Palti. When the deceased didn't return from the fair, the informant contacted on his mobile, which was picked up by Md. Hasan and he apprised the informant that some miscreants had committed murder of the deceased.

4. The learned counsel for the petitioners have submitted that except confessional statement of the petitioners, there is nothing in the entire case diary. The confessional statement is not leading to recovery of any kind of incriminating material, as such, it has no



probative value in the eye of laws.

5. learned counsels have also submitted that the deceased himself apprised his mother that he was going with Md. Hasan to the fair. Md. Hasan did not inform about the occurrence to the informant but when the informant attempted to contact her son on his mobile number, it was picked up by Md. Hasan and he told that her son was murdered by the miscreants. Learned counsels have further submitted that there might be possibility that the deceased would have been killed at the hands of his friend Md. Hasan and the innocent persons have falsely been implicated.

6. On the other hand, learned APP for the State, Shri Shailendra Kumar opposes the prayer for bail.

7. Considering the above-mentioned facts and circumstances, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Banka in connection with Barahat P.S. Case No. 246 of 2023, subject to the condition that the petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Nawneet Kumar Pandey, J)

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