

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38382 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- NAVINAGAR District- Aurangabad

Omprakash Chauhan S/O Lakhuman Chauhan R/O Village- Mahuari, P.S.-
Nabinagar, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mukul Kumari

For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 31-08-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Mr. Rabindra Kumar.

2. The petitioner seeks bail in connection with
Nabinagar PS Case No. 15 of 2024 registered for the offences
punishable under Sections 147, 149, 341, 323, 307, 302, 379,
504 and 506 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is in custody since 10-3-2024 and is a person with
clean antecedent and the informant alleges that he along with his
friends were going to Sasaram, on the way, driver of a dumper
and a motorcyclist entered into an altercation with regard to
parking of vehicles, in the meantime, someone fired, on this
crowd gathered and started assaulting him and his friends. It is
next alleged that Arman, Anjar and Mujahid were beaten to



death by the mob.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case based on the confessional statement of Mukesh Chauhan. It is also submitted that Nabinagar PS Case No. 14 of 2024 has been instituted against the informant and his side alleging that it were they who fired causing death of Ram Sharan Chauhan.

5. The learned APP, Shri. Rabindra Prasad, opposes the regular bail application and submits that it is a case of mob lynching where three persons have been killed. It is also submitted that though the name of the petitioner transpired in the confessional statement of the co-accused, but then he was also identified by the local villagers. It is also submitted that in the event, if the privilege of bail is granted to the petitioner, the petitioner may abscond.

6. On query of the court from the learned counsel appearing on behalf of the petitioner that as to whether charges have been framed or not; on which it has been fairly submitted that charges till date have not been framed.

7. The Court, for the present, is not inclined to extend the privilege of regular bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner is



rejected.

9. However, the petitioner would be at liberty to
renew his claim for bail after framing of charges.

(Satyavrat Verma, J)

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