

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37179 of 2024

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

1. Sandesh Chauhan Son Of Gaurishankar Chauhan.
2. Suraj Chauhan @ Suraj Kumar Son Of Mangal Chauhan Both Resident Of 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, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2024 Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 307, 302, 379, 504, 506 of the IPC in connection with Nabinagar P.S. Case No.15 of 2024.

3. The learned counsel for the petitioners submit that petitioners are the persons with clean antecedent and have been falsely implicated in the instant case by the informant with an allegation that on 15.01.2024 he along with his friends were going to Sasaram and stop near Tetariya crossing for having tea, when a dumper truck and a motorcycle came and a dispute arose with regard to parking and thus a scuffle ensued, when all of a sudden someone fired, thereafter, crowd gathered and the mob



started abusing and assaulting the informant, on account of which three persons Arman, Anjar and Mujahid died on the spot, as they were assaulted by the mob.

4. The learned counsel submits petitioners are not named in the FIR and have been implicated in the instant case based on confessional statement of Mukesh Chauhan in police custody, which does not have any evidentiary value.

5. The learned APP, Mr. Chandra Bhushan Prasad opposes the anticipatory bail application and submits that no doubt petitioner is not named in the FIR, but then three persons are alleged to have been killed by the mob and the investigation of the case is in its nation stages, as such if privilege of anticipatory bail is granted to the petitioners, the petitioners may abscond.

6. At this stage, the learned counsel appearing on behalf of the petitioners submits that the present informant also was implicated for the said occurrence by Dhirendra Chauhan for which Nabinagar P.S. Case No.14 of 2024 has been instituted.

7. It is thus submitted that informant falsely implicated the accused persons of the instant case when he himself was involved in the occurrence, on which the learned



APP submits that the investigation of both the cases are in
nation stages. The truth would unfold during the course of
investigation.

8. In view of the submissions made by the learned
APP, the Court is not inclined to extend the privilege of
anticipatory bail to the petitioners, accordingly, the anticipatory
bail application is rejected.

(Satyavrat Verma, J)

Prakash Narayan

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