

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77682 of 2024

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

Omprakash Chauhan S/O Late Lakshman 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. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-12-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner seeks bail in a case 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
petitioner is a person with clean antecedent and is in custody
since 10.03.2024 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 a crowd gathered and started assaulting him and his
friends. It is next alleged that Arman, Anjar and Mojahid were
beaten to death by the mob.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case based on the confessional statement of co-accused Mukesh Chauhan. It is further submitted that Nabinagar P.S. 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. The learned counsel for the petitioner next submits that charges against the petitioner has been framed on 13.09.2024. Further confessional statement does not have any evidentiary value in the eye of law and the petitioner will not abscond rather will co-operate in the trial to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Session Case No.373/2024, arising out of Nabinagar P.S. Case No. 15 of 2024.



7. One of the bailors of the petitioner shall be his grand father, Sitaram Chouhan.

8. It is made clear that if the learned Trial Court comes to a conclusion that petitioner, after his release, is trying to delay the trial in any manner, in that event, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

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