

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5801 of 2025

Arising Out of PS. Case No.-118 Year-2024 Thana- MANPUR District- Nalanda

Harish Kumar @ Haresh Kumar @ Harish Chauhan @ Haresh Chauhan, Son
of Balram Chauhan, Resident of Village - Newaji Bigha, P.S.- Manpur,
District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Man Mohan Kumar, Advocate
For the State	:	Mr. Anant Kumar 1, APP
For the Informant	:	Mr. Sudish Kumar, Advocate
		Mr. Birendra Prasad Chaudhary, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 28-02-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 191(2), 191(3), 190, 140(1), 61(2), 103, 103(2), 126(2), 115(2), 74, 238, 324(4) of the Bharatiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that the petitioner along with others abducted the brother of the informant. After that they assaulted him with an *iron rod, hockey stick* and threw the dead body in Gordhowa River. It is also alleged that knife blow was given in both of the eyes. The brother of the informant was brutally murdered.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal antecedent as mentioned in para-3 of the petition. From perusal of the FIR, it is clear that the informant has not seen the occurrence and he is not the eye witness but in later part of the FIR he has stated that at the place of occurrence, his mother Sunita Devi, sister Saloni Kumari and Khushboo were there. They have given their statement before police and in their statement they have reiterated the FIR. From perusal of the witnesses who claim them to be eye witness it transpires that they have not seen the occurrence as the FIR was lodged when the dead body was recovered. There is no any specific allegation against any of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 17.08.2024.

5. Learned APP appearing for the state and learned counsels for the informant have opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail with a condition that the petitioner shall co-operate in the trial and shall present



himself before the trial court. The trial court is directed to expedite the trial. The above named petitioner is directed to be released on bail in connection with Manpur P.S. Case No. 118 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate- 1st Class, Nalanda at Biharsharif.

(Ashok Kumar Pandey, J)

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