

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8404 of 2025

Arising Out of PS. Case No.-559 Year-2023 Thana- KOILWAR District- Bhojpur

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Munna Chaudhari Son of Sri Shyamlal Chaudhari Resident of Village - Ward
No.14 Koilwar, P.S. - Koilwar, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kr. Thakur Mrs. Vaishnavi Singh Mr. Ritwik Thakur
For the Opposite Party/s :		Mr. Jai Narain Thakur

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Koilwar P.S. Case No. 559 of 2023 dated 15.09.2023 registered for the offences punishable under Sections 302, 120B/34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, the co-accused persons and some unknown miscreants are alleged to have killed the informant's elder brother and his dead body was thrown at the side of the *Ara-Chapra Four Lane Road*. It is further alleged that earlier dispute was going on between the deceased and the petitioner and the petitioner also threatened to kill the informant's brother. The deceased was doing the business of sand with the petitioner for which he was sent to jail and



thereafter he was released on bail. In the meantime, the petitioner made wrong calculation of money of the deceased. When the deceased was in jail, the petitioner established illicit relationship with the wife of the deceased for which there was dispute between the petitioner and the deceased.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case on mere suspicion. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that only a vague suspicion has been levelled against the petitioner for committing the alleged crime in question simply on the ground that earlier both were doing business and there was dispute over money and other disputes. The other co-accused person has already been granted bail by this court *vide* order dated 29.04.2024 passed in Cr. Misc. No. 11661/2024. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 17.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. As per the paragraph no. 89 of the case diary there was conversation between the petitioner and the co-accused Kush Kumar through their mobiles No. 8825169456 and 7765938669 respectively around the time and place of occurrence. The tower location of the



petitioner's mobile no. was found near the place of occurrence. It is further submitted that the petitioner had illicit relationship with the deceased's wife who was also involved in the alleged crime. Earlier the regular bail of the petitioner has been rejected by this court vide order dated 31.07.2024 passed in Cr. Misc. No. 16695/2024.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur, Ara in connection with Koilwar P.S. Case No. 559 of 2023, with the condition :-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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