

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12297 of 2025

Arising Out of PS. Case No.-209 Year-2024 Thana- NARDIGANJ District- Nawada

1. Sunita Devi Wife of Sakindra Chauhan @ Satyendra Chauhan
 2. Nitish Kumar Son of Sakindra Chauhan @ Satyendra Chauhan
Both are resident of Village - Kujha, P.S. - Nardiganj, District- Nawada.
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad
For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

2. The petitioners seek bail in connection with Nadriganj P.S. Case No. 209 of 2024, P.T.N. 2873 of 2024 instituted for the offences under Sections 121, 121(1), 122, 103 of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution story, in short, is that, all the accused persons including the petitioners beaten the informant's husband to death.

4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against these petitioners. No specific overt act is alleged against these petitioners. Learned



counsel further submitted that there is no independent eyewitness to the alleged occurrence rather the witnesses are only the close relatives of the informant. It has been submitted on behalf of the petitioners that petitioner No. 1 is in custody since 21.10.2024 whereas petitioner No. 2 is in custody since 14.11.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned APP further submitted that all the petitioners are involved in the commission of murder of the deceased and, therefore, they may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case, there being no specific allegation against the petitioners and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nadriganj P.S. Case No. 209 of 2024, P.T.N. 2873 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(III) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Sandeep Kumar, J)

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