

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16899 of 2025

Arising Out of PS. Case No.-645 Year-2023 Thana- WARISLIGANJ District- Nawada

1. Naresh Chauhan Son Of Somar Chauhan Resident Of Village- Bahera Bhelwa, P.S.- Warisaliganj, Distt.- Nawada
2. Sarun Chauhan @ Saurav Chauhan Son Of Naresh Chauhan Resident Of Village- Bahera Bhelwa, P.S.- Warisaliganj, Distt.- Nawada
3. Vijay Chauhan Son Of Naresh Chauhan Resident Of Village- Bahera Bhelwa, P.S.- Warisaliganj, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan Kumar, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 07-04-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in connection with Warisaliganj P.S. Case No. 645 of 2023, instituted for the offences punishable under Sections 436/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioners along with other co-accused person set the house of the informant and his brother on fire and huge quantity of grain apart from other household articles got burnt in the fire. Both the houses were burnt to ashes.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that there is land dispute between the parties and Title Suit No. 471 of 2021 is pending between the parties in Civil Court, Nawada. It is next submitted that on the land of the petitioners, the informant's side made a hut and when the petitioners opposed, they have falsely been implicated in this case. The petitioner nos. 1 and 2 are in custody since 31.12.2024, petitioner no. 3 is in custody since 11.01.2025 and they have got one criminal antecedent in which they are on bail. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 13.09.2024 passed in Cr. Misc. No. 66988 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account 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 on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Warisaliganj P.S. Case No. 645 of 2023.

(Rudra Prakash Mishra, J)

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