

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29060 of 2025

Arising Out of PS. Case No.-156 Year-2024 Thana- DEV District- Aurangabad

Sheo Dhyan Chaudhary, aged about 38 years, Gender-Male, S/O Late Ram Naresh Chaudhary, R/O Village- Chandpur, P.S- Deo, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Krishna Pd. Singh, Sr. Advocate, and Miss. Sneha Shanti, Advocate
For the Opposite Party	:	Mr. Umanath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 05-12-2025 Heard learned senior counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 776 of 2024, arising out of Deo P.S. Case No. 156 of 2024 dated 23.07.2024 registered for the offences punishable under Sections 190, 191(2), 191(3), 103(1) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, the accused persons including Sheo Dhyan Chaudhary armed with garasa, sword and pistol came at the place of occurrence and started abusing and pelting stones on the informant, in the meantime, Sheo Dhyan Chaudhary (petitioner) opened fire which hit the chest of Raushan Kumar @ Banti Kumar who was the son of the



informant, as a result of which, he fell down, he was rushed to Sadar Hopsital, Aurangabad, where he was declared dead.

4. Learned senior counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the informant is not an eye witness to the alleged offence as he was present in Delhi at the time of occurrence as per the F.I.R. itself. It is further submitted that there is land dispute between the parties for which measurement of land was to be done by the Amin but in that measurement Sonu unknown fired hitting the deceased but since the petitioner and the other named accused persons belong to other party in the alleged dispute so, he has been named in the F.I.R. The petitioner has no concern with the alleged offence. The petitioner is himself a victim in the present case. It is further submitted that the similarly situated co-accused person, namely, Yogendra Chaudhary, has already been granted bail by a Bench of this Court in Cr. Misc. No. 66939 of 2024 vide order dated 17.12.2024, annexed as Annexure-2 to the present bail application. The petitioner has eight criminal antecedents and out of which, in five cases, he has been acquitted and in three cases, he is on bail as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case



since 24.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner and has further submitted that the petitioner is named in the F.I.R. He further submits that there is direct allegation against the petitioner that he fired on the chest of Raushan Kumar @ Bunti Kumar who was the son of the informant, due to which, he fell down and died.

6. Considering the aforesaid facts and circumstances of the case and the accusation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Sessions Trial No. 776 of 2024, arising out of Deo P.S. Case No. 156 of 2024, pending in the court of learned Principal District and Sessions Judge, Aurangabad.

7. The application stands rejected.

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(Chandra Prakash Singh, J)

