

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32541 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- MAJHAULIA District- West Champaran

Prabhu Chaudhary S/o Ramji Chaudhary R/o Village- Khaira Tola, P.S.-
Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 06-08-2025 Heard Mr. Sanjeev Kumar learned counsel for the

Petitioner and Ms. Suman Kumari Singh learned APP for the

State.

2. Petitioner seeks regular bail in connection with
Majhauilya P.S. Case No. 08 of 2025, dated 05.01.2025
registered for the offences punishable under Sections 103(1) and
3(5) of the B.N.S.

3. The main submissions advanced by the petitioner's
counsel are that in the present matter, there is no direct evidence
though, the informant alleged in the FIR that the petitioner and
two co-accused persons left the informant's house with the
victim to celebrate the new year on 01.01.2025 but later on,
informant's uncle claimed the victim being in the company of
co-accused Shambhu Sahani only and going with him on a



motorcycle and thereafter, on 05.01.2025, the victim's dead body was found from a sugarcane field during the course of search, so, if we believe the story of last seen as narrated in the first part of the FIR even then it is not against this petitioner because as per the informant's own uncle, Yadunandan Sahani, the deceased was lastly in the company of the co-accused Shambhu Sahani and in this regard the informant's uncle's statement recorded under Section 161 of the Cr.P.C may also be perused. It is further submitted that during the course of investigation, the investigating officer examined the petitioner's location at the alleged place on the basis of his phone's tower location and in this regard, he made a scientific investigation which is available in the case diary, the petitioner's location was found in different village from the last location of the deceased.

4. On the other hand, learned APP appearing for the State submits that the petitioner was arrested from Kerala along with the co-accused and there are sufficient evidences against the petitioner.

5. Heard both the sides and perused the FIR and case diary, in respect of petitioner's involvement in the alleged crime, the prosecution is relying only on the indirect evidence



particularly to the first part of the FIR which is against the disclosure made by the informant’s own uncle as according to him, the victim was lastly in the company of the co-accused Shambhu Sahani and not in the company of the petitioner. In my opinion, in the light of these facts and considering the fair criminal antecedent and custody period, the petitioner deserves the relief of bail. Accordingly, let the petitioner named-above 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 the concerned Court in connection with Majhauriya P.S. Case No. 08 of 2025.

(Shailendra Singh, J)

Siddharth Soni/-

U		T	
---	--	---	--

