

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40357 of 2025

Arising Out of PS. Case No.-74 Year-2025 Thana- WAJIRGANJ District- Gaya

Hari Chandra Chauhan S/o Bhagwan Chauhan R/o Village- Dhandhar, P.S.-
Wazirganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Wazirganj P.S. Case No. 74 of 2025 instituted for the offences
under Sections 103(1), 111, 3(5) of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per F.I.R., someone has fired upon the head of
the informant's husband due to which he died on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to dirty village politics. The petitioner is not named in the
F.I.R. and his name has transpired in this case in course of



investigation on the basis of the statement of spy of the police. Learned counsel for the petitioner further submits that as per F.I.R., the informant has seen three persons fleeing away from the place of occurrence but, the petitioner is not one of them. The petitioner has no criminal antecedent and is languishing in judicial custody since 01.03.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. He further submits that the co-accused Jitendra Chauhan in his confessional statement contained in Para-69 of the case diary has confessed his guilt and has also taken the name of the petitioner of being involved in the alleged offence. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner for offence under Sections 103(1)/61(2)/3(5) of the B.N.S., 2023.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case and keeping in view the nature of allegation, gravity of the offence as also the materials available in the case diary, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner,



above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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