

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63332 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- DUMARIAGHAT District- East
Champaran

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Dhiraj Kumar Chaudhary @ Dhiraj Sahani Son of Jay Kishor Chaudhary @
Hari Kishor Sahani Resident of Pannapur Kanhi Tola, P.S.- Harsidhi, Dist.-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner : Mr. Kundan Rathore@ Kundan Kumar, Advocate
For the State : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-01-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 302, 201, 120B and 34 of the Indian Penal Code.

3. As per prosecution case, on 01.07.2023 at about 8 AM all the accused persons named in the F.I.R., including this petitioner, came to the house of informant and told that they have taken work of contractor in Chattisgarh and asked husband of informant to come with him. Thereafter, the husband of informant went with co-accused persons but never returned. It is alleged that all the accused persons, including this petitioner, committed murder of husband of informant.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that petitioner is quite innocent and has committed no offence and has falsely been implicated in this case merely on suspicion. As per F.I.R., the date of occurrence is 01.07.2023, however, the F.I.R. has been lodged after inordinate delay of 10 months and there is no explanation for the same. As a matter of fact, husband of informant, namely Bihari Sahani, had himself gone to work as labour in Village- Arjuni, P.S. Dogar Gaon, District- Rajnath Gaon, Chattiasgarh, from where he disappeared since morning of 03.07.2023 and thereafter, petitioner and other co-accused persons named in the F.I.R. searched for him but no clue was found and in this regard, petitioner also lodged a missing report in Dogar Gaon P.S. on 21.07.2023 vide G.D. No. 6 (copy of which is annexed as Annexure-2 to this bail application). Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. and there is specific accusation that he, along with other co-accused persons, had taken away husband of informant for work and thereafter, committed his murder. It is further submitted that the victim is still traceless.



6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the fact that the victim is still traceless, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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