

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83036 of 2024

Arising Out of PS. Case No.-282 Year-2023 Thana- MASHRAK District- Saran

Kanhaiya Chaudhary S/O Late Raghunath Chaudhary R/O Village-Sikhti
Bhikham,PS-Mashrakh, Distt-Saran(Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sachida Nand Rai, Advocate
For the State : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for
offence under Sections 341, 323, 324, 302, 34 and 120B of the
Indian Penal Code.

3. Allegation against petitioner is that he, along with
other accused persons named in the F.I.R., committed the
murder of son of informant.

4. Learned counsel for the petitioner submits that
informant is not eye-witness to the occurrence. Petitioner has
been made accused in this case merely on the basis of suspicion.
He further submits that the occurrence has taken place at 3:00
A.M. when the deceased has gone to meet Anjali Kumari.
Petitioner has got no concern with the alleged offence. Co-



accused Krishna Chaudhary, having similar and identical allegation, has already been granted bail by a coordinate Bench of this Court, vide order dated 19.12.2023 passed in Cr. Misc. No. 63070 of 2023 (Annexure – 3 to the bail petition). Learned counsel for the petitioner further submits that during trial, the informant of the case namely Sharda Devi has not supported the prosecution case and has stated that when she reached at the place of occurrence, her son was in unconscious condition and he did not regain consciousness till death. Petitioner has got no criminal antecedents and he is in custody since 24.06.2024. Moreover, charge-sheet has already been submitted.

5. Learned A.P.P. for the State vehemently opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - VII, Chapra, Saran in connection with Mashrakh P.S. Case No. 282 of 2023.

(Prabhat Kumar Singh, J)

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