

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.326 of 2025**

Arising Out of PS. Case No.-121 Year-2021 Thana- PHULWARIYA District- Gopalganj

Shailesh Chauhan S/O Sudama Chauhan R/O Village - Fatehpur Tola Digha  
Barka Tola, P.S- Mirganj, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sarfraz Ahmad, Advocate  
For the State : Mr.

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      18-01-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. This is the second attempt for bail of the petitioner as earlier such prayer was rejected by order dated 21.03.2024 in Cr. Misc. No. 3497 of 2024.

3. The petitioner seeks bail in connection with Phulwariya P.S. Case No. 121 of 2021 registered for the offence punishable under Sections 302/34 of the Indian Penal Code and later on it was converted into Section 396 of the Indian Penal Code and Section 27 of the Arms Act.

4. The following order was passed on 21.03.2024 in Cr. Misc. No. 3497 of 2024 which reads as under:

*“Heard the learned counsel for the  
petitioner and learned APP for the State.  
2. The petitioner seeks regular bail in*



*a case registered for the offence under Sections 302/34 of the Indian Penal Code and later on it converted in Section 396 of the IPC.*

*3. Unknown criminals killed the father of the informant. During investigation the name of the petitioner has come on the confessional statement of co-accused Vikash Patel @ Lalu Patel.*

*4. The petitioner is accused in four more cases of similar and serious nature which includes the case of dacoity, loot and NDPS Act. Petitioner is in jail since 06.04.2023.*

*5. Considering the allegations levelled against the petitioner and the criminal antecedents of the petitioner, I am not inclined to grant bail to the petitioner though some accused persons have been granted bail by co-ordinate Bench(s) of this Court.*

*6. This application for regular bail is dismissed.”*

5. The trial has commenced and two witnesses have been examined and therefore, in view of the judgment of the Hon’ble Supreme Court in the case of **X vs. State of Rajasthan & Anr.** reported in **2024 SCC Online SC 3539**, this application is dismissed.

**(Sandeep Kumar, J)**

P. Kumar

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