

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23533 of 2015

Arising Out of PS.Case No. -83 Year- 2014 Thana -ROH District- NAWADA

Raj Kumar Choudhary son of Sri Bishwanath Choudhary Resident of village - Jakhaur , P.S. Roh district Nawadah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Indu Kumari Srivastava (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Section 302/34 of the Indian Penal Code.

It is alleged by the informant that on 11.12.2014 at about 3 p.m. the informant's husband Yogal Chaudhary had gone at a distance of 500 yards from his house for tapping palm tree and bringing toddy. At that time accused Balgovind Chaudhary and co-accused Sujeet Chaudhary and Asha Devi came there and started abusing in filthy languages against the informant's husband and co-accused Balgivind Chaudhary assaulted the informant's husband with Pajauna on the back of his head due to which the informant's husband became senseless falling on the ground. The co-accused Sujit Kumar assaulted him with lathi on his right leg.



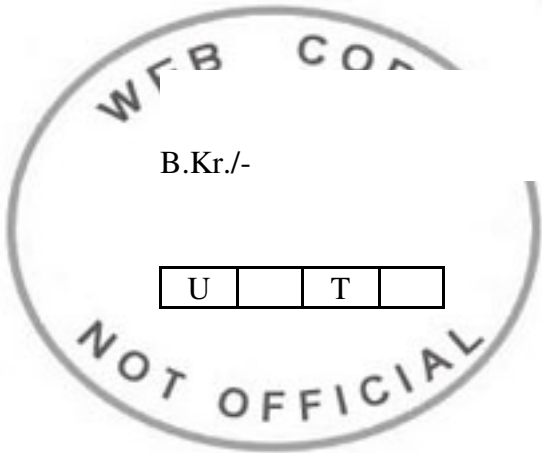
Co-accused Asha Devi was also telling to co-accused Balgovind Chaudhary to kill the informant's husband. It is also alleged that the informant's three sons used to live out of the State i.e., Delhi and Mumbai for earning their livelihood and with the help of others the informant carried her husband to Ma Gulabi Nursing Home, Nawada for treatment and from where referred to Patna for better treatment and her husband died during course of treatment at Patna.

It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent. It has also been submitted that the petitioner is not named in the FIR and there is no specific role assigned against him. The main allegation is against Balgovind Chaudhary who assaulted the deceased.

It has been submitted on behalf of the State that the petitioner is not named in the FIR and his name has come during the course of investigation.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, 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 CJM, Nawadah in connection with Roh P.S.Case No.83 of 2014, subject to the

conditions as laid down under Section 438(2) of the Cr.P.C.



(Sudhir Singh, J)