

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34351 of 2015

Arising Out of PS.Case No. -372 Year- 2014 Thana -DINARA District- SASARAM (ROHTAS)

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Muna Chaudhary @ Munna Noniya @ Muna Noniya Chaudhary S/o
Baidya Nath Chaudhary Resident of Village Basaow, P.S. Itarhi, District
Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajen Sahay
For the Opposite Party/s : Mr. Anil Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 17-08-2015 Heard learned counsels for the petitioner and the
State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
341,323,302/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution is that when the informant along with
her husband Hanuman Chaudhary were cleaning paddy on the
roof, suddenly Lal Babu Chaudhary, Buniya Chaudhayr, Bijli
Chaudhary and Naga Chaudhary came variously armed and started
assaulting father-in-law and son of the informant. When her
husband went to rescue the accused persons assaulted him also. In
the meantime Lal Babu Chaudhary fired at the husband of the
informant who died on the spot. It is alleged that the petitioner's
niece was married with accused Buniya Chaudhary hence the

petitioner supplied pistol to accused to commit said murder.

It is submitted by learned counsel for the petitioner that accusation has been levelled only on suspicion. A statement to that effect has been made in Para 3 of the petition which reads as follows:-

“3. That the petitioner has no criminal antecedent nor has his name emerged in connection with any criminal case whatsoever.”

Considering the suspicious nature of accusation and no specific overt act being alleged, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Dinara P.S. Case No. 372 of 2014 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Prakash/-

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