

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1352 of 2015

Arising Out of PS.Case No. -89 Year- 2014 Thana -BELAGANJ District- GAYA

Sulen Chaudhary @ Sulen @ Sulendra Chaudhary Son of Late Sadhu Chaudhary Resident of Village - Bhedia P.S- Belaganj District - Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.7050 of 2015

Arising Out of PS.Case No. -89 Year- 2014 Thana -BELAGANJ District- GAYA

Bulen Chaudhary Son of Late Sudha Chaudhary resident of Bheriya, Police Station - Belaganj, District - Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.8186 of 2015

Arising Out of PS.Case No. -89 Year- 2014 Thana -BELAGANJ District- GAYA

Prem Chaudhary son of Late Sadhu Chaudhary, Resident of village- Bhedia Police Station- Belaganj, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 16-07-2015 All the three applications arise out of Belaganj P.S.

Case no. 89 of 2014 for the offence punishable under Sections

147, 149, 341, 328,325 and 307 of the Indian Penal Code and later

on Section 302 of the Indian Penal Code is added. As such, they have been heard together and are being disposed of by this common order.

The allegation against the accused including the petitioners is to have assaulted Dhaneshwar Choudhary, father of the informant and when the mother and Bhabhi of the informant came to his rescue, they were also assaulted by the accused including the petitioners. Previously the case was registered under Section 307 of the Indian Penal Code but during treatment Dhaneshwar Choudhary died and Section 302 of the Indian Penal Code was added.

Learned counsel for the petitioners submits that there is no specific allegation of overt act against the petitioners. They have been implicated in this case due to land dispute. It has been further submitted that except Sulen Choudhary, the other petitioners have no criminal antecedent.

Learned counsel for the State submits that all the accused including the petitioners have assaulted the deceased brutally by hard and blunt substance and due to the injuries caused by them, the deceased died during treatment. The post mortem examination report also supports the version of the informant and other witnesses have also supported the case.

Considering the facts and circumstances, in my opinion,
the petitioners do not deserve bail. Their prayer for bail is rejected
at this stage.

Let the trial of the petitioners in Belaganj P.S. Case no.
89 of 2014 be expedited.

(Amaresh Kumar Lal, J)

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