

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23020 of 2015

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

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Sujeet Chaudhary. S/o Raj Kumar Chaudhary. Resident of village - Jakhor,
P.S.- Roh, District - Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Nagendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 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
petitioner Sujeet Chaudhary and Asha Devi came there and started
abusing in filthy languages against the informant's husband and
co-accused Balgivid 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
petitioner 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 alleged occurrence is said to have taken place due to opening of a Nali. From perusal of the case diary, it would appear that the main allegation is against Balgovind Chaudhary who assaulted the deceased. So far as the petitioner is concerned, it is alleged that he has assaulted on the leg which is non-vital part of the body.

It has been submitted on behalf of the State that the petitioner's 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)

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