

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10351 of 2016

Arising Out of PS.Case No. -45 Year- 2015 Thana -KIHIRI MORE District- PATNA

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1. SIDHODH CHOUDHARY @ SINODH CHOUDHARY @ SINOD CHOUDHARY

2. Sov Choudhary Both are s/o Late Darogi Choudhary Resident of Village - Dahia, P.S. - Khiri More, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mr. M.Haque(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 26-04-2016 Heard learned counsel for the petitioners and learned A.P.P. representing the State.

The petitioners seek bail in connection with Khiri More P.S. Case No. 45 of 2015 registered for the offences punishable under Sections 341, 323, 307, 504/34 of the Indian Penal Code and further Section 302 IPC has also been added.

Allegedly, both the petitioners started assaulting Ganeshi Choudhary, the father of the informant with *Lathi* and *Danda* resulting he became un-conscious and during treatment he succumbed to the injuries.

Submission is of false implication and that there was no intention to commit the murder, the father of the petitioners and

deceased are own brothers and due to partition of some joint family property, the occurrence has taken place, deceased received injury in the night in some other way and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that cause of death has been found due to head injury caused by hard and blunt substance.

In the facts and circumstances stated above, considering the allegation attributed against the petitioners, serious in nature, and, as such, I am not inclined to enlarge the petitioners on bail and accordingly, their such prayer stands rejected in connection with Khiri More P.S. Case No. 45 of 2015 pending in the court of Sri. Randhir Kumar, learned Judicial Magistrate-1st Class, Danapur.

(Jitendra Mohan Sharma, J)

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