

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11985 of 2016

Arising Out of PS.Case No. -51 Year- 2015 Thana -AJIMABAD District- BHOJPUR

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1. Pawan Choudhary Son of Sheo Bhaju Chudhary Resident of village-
Bargaon , PS Azimabad District Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ataul Haque

For the Opposite Party/s : Mr. Pushpa Sinha-Ii(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 02-05-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Azimabad P.S. Case No. 51 of 2015 registered for the offences
punishable under Sections 364, 34, 302 and 201 of the Indian
Penal Code.

Allegedly, 24 accused persons named in the First
Information Report including the petitioner caught the father of
the informant and started assaulting him with lathi, stick and
brick, the informant due to fear fled away from there and
thereafter, the dead body of the father of the informant was
recovered.

Submission is of false implication and that there is

general and omnibus allegation against the petitioner and others to cause injury to the deceased. In post-mortem report, no external injury was found rather cause of death has been found due to strangulation, as a matter of fact, due to caste rivalry, the petitioner has been implicated and he is suffering in custody since 01.01.2016, having no criminal antecedent. Another similarly situated co-accused Manoj Manjul @ Manoj Manjil and Manoj Chaudhary have been allowed bail.

The learned A.P.P. submits that the petitioner and other co-accused after forming unlawful assembly have committed the crime.

In the facts and circumstances stated above, considering that other two co-accused have been allowed bail and, as such, the petitioner, above named, is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Azimabad P.S. Case No. 51 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the

default on two consecutive dates on his part without any reason
shall disentitle the petitioner from privilege of bail.

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(Jitendra Mohan Sharma, J)