

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8276 of 2016

Arising Out of PS.Case No. -288 Year- 2014 Thana -DINARA District- SASARAM (ROHTAS)

- =====
1. Raju Chaudhary Son of late Bihari Chaudhary
 2. Dharmendra Chaudhary son of late Ganesh Chaudhary
 3. Lalbabu Chaudhary @ Lal Babu son of late Ganesh Choudhary All Resident of Village- Bhadi Police Station Dinara, District Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upadhyay Saurabh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 19-05-2016 Heard the learned counsel for the petitioners as well as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences punishable under sections 147, 149, 323, 307, 337 and 302 of the I.P.C

The allegation against the petitioner Raju Chaudhary is that he assaulted Sona Kumari, the sister of the informant, causing injury to her, petitioner no.2 Dharmendra Chaudhary and others assaulted Saheb Chaudhary, whereas, petitioner no.3 Lalbabu Chaudhary @ Lal Babu assaulted Umesh Chaudhary.

Submission is of false implication and that the

petitioners are not the assailants, there is no injury report of the said injury, there was no intention to commit the offence as alleged rather the occurrence has taken place at the spur of moment, the deceased Chhatu Chaudhary has not been assaulted by the petitioners and as such the petitioners who are suffering in custody since 02.11.2015 having clean antecedents deserve sympathetic consideration, to which the learned A.P.P. does not dispute.

In the facts and circumstances as stated above, the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Rajesh Pandey, J.M.1st Class- Cum Additional Munsif, Bikramganj (Rohtas) in Dinara P.S. Case No. 288 of 2014, 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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