

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43820 of 2016

Arising Out of PS.Case No. -27 Year- 2016 Thana -KASMA District- AURANGABAD

Vijay Choudhary, S/o Chandra Deo Choudhary, R/o Village- Dihwa, P.S.-
Kasma, District- Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 18-11-2016 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 29.08.2016 in
connection with Kasma P.S. Case No.27 of 2016 registered for
the offences under Sections 341, 323, 324 and 307/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that there is
enmity between both the petitioner and the informant, who are
full brothers, and the mother of the petitioner is staying with
him. The daughter-in-law of the present informant having
differences with her own father-in-law, the informant, and the
mother-in-law had taken shelter in the house of the present
petitioner as his mother was supporting the lady. It is further

submitted that since the petitioner and the informant are full brothers and there was dispute between them, the present occurrence had taken place, but initially no F.I.R. was lodged and it was only after the occurrence with regard to the daughter-in-law having taken place, that after 35 days of the occurrence, the case against the petitioner has been filed by the informant.

Considering the nature of relationship between the parties and that the petitioner has been in custody for over two months and that there is close proximity of relationship between them, let the petitioner, above named, be released on bail on his furnishing 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, Aurangabad, in connection with Kasma P.S. Case No.27 of 2016.

(Anjana Mishra, J)

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