

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52849 of 2016

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

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1. Guddu Chaudhary S/o Mr Akshay Chaudhary resident of Village:
Burgaon, P.S. Azimabad, District Bhojpur, Ara.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Md. Arif, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
30.09.2016 in connection with Azimabad P.S. Case No. 51 of
2015 registered for the offence punishable under Sections 364, 34,
302 and 201 of the Indian Penal Code.

The prosecution case is that the petitioner and about
twenty four other persons caught the father of the informant and
started assaulting him with lathi, stick and bricks, the informant
due to fear fled away from there and thereafter, the dead body of
the father of the informant was recovered.

It has been submitted by the learned counsel for the
petitioner that he has no criminal history and is innocent and has



falsely been implicated due to village rivalry and caste politics. It has further been submitted that other co-accused have since been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 1668 of 2016 dated 15.03.2016 and Cr. Misc. No. 25300 of 2016 on 09.08.2016. He submits that allegations are general and omnibus and the prosecution story is not supported by the post-mortem report and no external injury was found rather cause of death was strangulation.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances and submission of the parties and that on similar allegation other co-accused have been granted the privilege of bail, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Azimabad P.S. Case No. 51 of 2015 with a condition that one of the bailors would be a close relative of the petitioner and the other bailor would have sufficient immovable property within the jurisdiction of the concerned police station and the petitioner is directed to appear



before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bond.

With these observations and directions, this bail application is allowed.

(Nilu Agrawal, J)

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