

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.191 of 2017

Arising Out of PS.Case No. -65 Year- 2016 Thana -BALIA District- BEGUSARAI

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Ghutru Chaudhary @ Ghutar Chaudhary, son of Late Baiku Chaudhary,
resident of village- Maksudpur, Police Station- Balia in the district of
Begusarai

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prabhu Narayan Sharma, Advocate

For the Respondent/s : Mr. Sri Sadanand Paswan, S.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR
TRIVEDI
ORAL ORDER

6 03-04-2017 Heard learned counsel for the appellant as well as
learned Special P.P. and learned counsel for the informant.

Informant had alleged that while she was present at
the flour mill of Rakesh, her dewar Mahesh as well as Ram
Pravesh were passing through over motorcycle who were
prevented by the accused persons whose name finds place therein
including the appellant and further, on an order of Surendra
Chaudhary, apart from Surendra Chaudhary, Himat Chaudhary,
Jitendra Chaudhary and Chhotelal Chaudhary murdered both of
them by way of indiscriminate firing. From perusal of the case
diary, it is evident that though informant stood by her statement
while others made in omnibus manner. Even considering the
statement of the informant, appellant is not an assailant.



Accordingly, appellant Ghutru Chaudhary @ Ghutar Chaudhary is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Balia P.S. Case No. 65 of 2016, after setting aside the order dated 20.06.2016 passed by Special Judge-I, SC/ST, Begusarai.

Consequent thereupon, appeal is allowed.

(Aditya Kumar Trivedi, J)

Vats/-

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