

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15658 of 2017

Arising Out of PS.Case No. -148 Year- 2016 Thana -NIMCHAKBATHANI District- GAYA

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Sanjay Chaudhary, S/o Suresh Chaudhary, Resident of Village- Telari, P.S.-
Neemchak Bathani, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dharendra Kumar Sinha, Advocate

For the Informant : Mr. Sanjeev Kumar, Advocate

For the State : Mr. Dr. Rabindra Kumar (APP-206)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 16-05-2017 Supplementary affidavit has been filed on behalf of

the petitioner disclosing further two criminal antecedent of the

petitioner. Let it be kept on record.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel representing the
State.

The petitioner seeks bail in connection with Neem
Chak Bathani P.S. Case No. 148 of 2016 registered for the
offences punishable under Sections 147, 148, 149, 447, 341, 323,
324, 307, 504, 506, 302 of the Indian Penal Code

Allegedly, the petitioner and other four accused
persons being armed with lathi and sword came at the house of the
informant started abusing and assaulting, causing injury to the
father Somari Chaudhary and son Rahul and Akash, during



treatment Somari Chaudhary died.

Submission is of false implication and that there is no specific allegation against the petitioner, the allegations are general and omnibus in nature, due to land dispute the occurrence has taken place, there is case and counter case. Somari Chaudhary was an old man aged about 70 years and in altercation he tried to intervene but unfortunately lathi blow of Binod Chaudhary and and Rahul Chaudhary came on the body of Somari Chaudhary and he became injured and later on died. During investigation, the manner of occurrence has not been found true and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that the petitioner has suppressed his criminal antecedent in earlier para 3, but he has disclosed after disclosure made by the informant.

In the facts and circumstances stated above, considering that against the petitioner there is no specific allegation and he is in custody since 08.02.2017 and as such, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A. C. J. M. - X, Gaya, in connection with Neem Chak Bathani P. S.



Case No. 148 of 2016, 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.

(Jitendra Mohan Sharma, J.)

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