

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27476 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -DINARA District- SASARAM (ROHTAS)

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Dilip Choudhary @ Dili Choudhary, son of Late Bishun Choudhary,
resident of Vill- Nauwa, P.S.- Dinara, Dist- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

7 27-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
24.03.2017 in connection with Dinara P.S. Case No. 14 of 2017
for offences punishable under Sections 341, 342, 323, 324, 377,
307, 504, 386 and 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he and Vijay Sharma went to the house of accused
Patali Choudhary for demanding the labour charges and when he
asked about Rs. 22,000/- and Rs, 7000/- dues, the petitioner along
with other co-accused assaulted the informant and Vijay Sharma.
The specific allegation upon the petitioner is that by iron rod he
assaulted both informant and Vijay Sharma on the whole body and



even on the private part.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that no opinion has been given on the injury report and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the informant and other Vijay Sharma has been brutally assaulted by the petitioner.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bikramganj, Rohtas in connection with Dinara P.S. Case No. 14 of 2017, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on



two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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