IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32231 of 2017
Arising Out of PS.Case No. -51 Year- 2017 Thana -SIKANDARA District- JAMUI

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1. Bhagwan Choudhary Son of Bajo Choudhary,
2.Chuha Choudhary Son of Bhagwan Choudhary Both are resident of Village Lachhuar, P.s. Sikandra District-Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pankaj Kumar Sinha, Adv
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 16-08-2017 Heard learned counsel for the petitioners as well as learned APP.

After recovery of dead body of Prakash Manjhi from a hut standing over the land of one Shaktidhar Mishra, informant has filed the instant case wherein she had alleged that Kusmi Devi, Bhagwan Choudhary, Lukhwa Devi and Chuha Choudhary got sale deed relating to 13 decimals of land from the deceased wherein Nishikant Pandey and Basudeo Ravidas were the brokers. Furthermore, it has also been alleged that the aforesaid transaction was materialized in deceitful manner without paying a single farthing to the deceased against the consideration amount. It is also apparent from the case diary, more particularly, para-11, that the deceased was staying at the house of petitioner, Bhagwan Choudhary after registration of the document and whenever there

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was insistence at the end of the deceased to pay the consideration amount, they used to pay him Rs. 500-1000/- and for that there was strained relationship.

Learned counsel for the petitioners has submitted that there is no eyewitness to occurrence. The dead body was traced out after three days. Other co-accused, namely, Kusmi Devi as well as Basudeo Ravidas have already been granted bail.

Learned APP opposed the prayer for bail and submitted that other co-accused have rightly been bailed out as there was nothing against them but so far these petitioners are concerned, there happens to be specific discloser that the deceased was staying with the petitioner, Bhagwan Choudhary.

Accordingly, prayer for bail of petitioner no.1, Bhagwan Choudhary is rejected.

Petitioner No.2, Chuha Choudhary is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of ACJM-II, Jamui in Sikandra PS Case No. 51/2017.

(Aditya Kumar Trivedi, J)

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