

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11027 of 2017**

Arising Out of PS.Case No. -76 Year- 2016 Thana -CHANDMUNDI District- JAMUI

=====

Baleshwar Choudhary, Son of Late Kesho Choudhary, resident of village -  
Ghanberiya, P.S. Khaira, District - Jamui

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bharat Lal

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      24-04-2017                                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

The Petitioner seeks bail in Chandramandi P.S.  
  
Case No. 76 of 2016 instituted for the offence under Section(s)  
  
302, 34, 120B of the Indian Penal Code.

It is alleged that informant Umesh Chaudhary  
  
had seen three persons sitting on the tempo of the victim after  
reserving the tempo. Thereafter, he received information from the  
villagers that his brother has been murdered by sharp cutting  
weapon.

The case diary has been received.

Learned Sessions Judge has mentioned that  
  
there are materials against the petitioner in paragraphs 7, 8, 9 of



the case diary.

Learned A.P.P. has pointed out that there is no specific allegation against the petitioner in para 7, 8, 9 of the case diary. One of the co-accused Ranjit Tanti in his confessional statement in para 38 of the case diary has taken name of this petitioner and thereafter police after arrest recorded the confessional statement of the petitioner.

In such circumstance, besides disclosing the name of this petitioner by co-accused in the confessional statement, there is no specific overt act against this petitioner. In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the Petitioner, above named, be released on bail on furnishing bail bond of 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, 2<sup>nd</sup>, Jamui in connection with Chandramandi P.S. Case No. 76 of 2016, subject to the conditions that both the bailors shall be the close relative of the petitioner.

**(Sanjay Priya, J)**

Shageer/-

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