

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11281 of 2017

Arising Out of PS.Case No. -372 Year- 2014 Thana -DINARA District- SASARAM (ROHTAS)

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Lal Babu Chaudhary, Son of Ram Nath Chaudhary, resident of Village:
Milki Manihari, P.S: Dinara, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 01-09-2017 Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner seeks bail in connection with

Sessions Trial No. 192 of 2015 arising out of Dinara P.S.

Case No. 372 of 2014 pending in the Court of learned

Additional Sessions Judge-II, Rohtas at Sasaram registered

for the offence punishable under Section 302 and other

allied sections of the Indian Penal Code and Section 27 of

the Arms Act.

The prosecution case, as lodged by the

informant, is that while she and her husband, Hanuman

Choudhary (deceased) were cleaning paddy near school



and her father-in-law, Ramnath Choudhary was also sitting there, the petitioner along with three other named co-accused came variously armed with pistol and started beating her father-in-law and when her husband came to rescue, then the petitioner fired on her husband, as a result, he succumbed to the injuries. The cause of dispute is that few days earlier there was an altercation between the parties.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and there was a property dispute between the parties, hence, he has been implicated. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State vehemently opposes the prayer for bail stating therein that the petitioner is the main assailant and the father-in-law of the informant has seen the occurrence.

Considering the facts and circumstances and



the materials on record, I am not inclined to grant the privilege of bail to the petitioner at this stage. This application is, accordingly, rejected.

(Nilu Agrawal, J.)

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