

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22560 of 2018

Arising Out of PS. Case No.-393 Year-2017 Thana- DALSINGHSARAI District- Samastipur

Pankaj Kumar Choudhary @ Pankaj Choudhary S/o Sh. Vikramditya Choudhary, R/o Vill.- Nagargama, P.S.- Dalsingsarai, District- Samastipur. (Bihar) 848114.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aaruni Singh, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-04-2018 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner seeks bail in connection with Dalsingsarai P.S. Case No. 393 of 2017 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 he was at home, petitioner along with eleven other accused persons came to his house and started abusing the family members, including his father. The cause of dispute was regarding construction of road for which informant's side was objecting. Specific allegation is against co-accused Deepak Choudhary of hitting with bricks and allegation against co-



accused Subhendu Kumar Choudhary and Navendu Kumar Choudhary is of firing on the informant and his father, which hit on the head of his father, as a result, the father of the informant while undergoing treatment, succumbed to the injuries.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, no allegation of assault has been levelled against the petitioner and he was only a member of mob. 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 opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st , Dalsingsarai, Samastipur in connection with Dalsingsarai P.S. Case No. 393 of 2017, subject to the conditions that:

- (1) Both the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an



affidavit stating their relationship with the petitioner.

(2) The petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

Arjun/-

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