

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11215 of 2018

Arising Out of PS.Case No. -92 Year- 2017 Thana -KHUDAGANJ District- NALANDA
(BIHARSHARIFF)

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1. Upendra Choudhary.
2. Satendra Choudhary, both sons of Sivan Choudhary.
3. Jataha Choudhary @ Jathu Choudhary, son of Jamun Choudhary,
All residents of Village- Sarthua Dih, Police Station- Khudaganj, District-
Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Shyam Bihari Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-03-2018 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners seek bail in connection with

Khudaganj P.S. Case No. 92 of 2017 for offences

punishable under Section 307 and other allied Sections of

the Indian Penal Code.

The prosecution case, as lodged by the police

personnel, is that during course of investigation of a case

the police party was disturbed by 20-25 people and as many

as 21 persons including the petitioners named in the FIR

assaulted the informant and other police officials. The name of



petitioners and others had been furnished by local Chowkidar and there were 4-5 unknown, who assaulted the police party, specially the informant by means of fasuli.

It has been submitted by the learned counsel for the petitioners that they are innocent and have been falsely implicated in the aforesaid case. He submits that it was a mob attack and allegations are general and omnibus. He further submits that it was very difficult to say who attacked whom in a mob, charge-sheet has already been submitted and petitioners are languishing in judicial custody since 16.12.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Khudaganj P.S. Case No. 92 of 2017, subject to the condition that if the petitioners indulge in an offence of similar nature in



future, the prosecution will be at liberty to move the learned court below for cancellation of their bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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