

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68474 of 2018

Arising Out of PS. Case No.-71 Year-2018 Thana- SARE District- Nalanda

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1. BHEKHU CHAUDHARY S/o Late Shiva Chaudhary
 2. Golu Chaudhary, Son of Bhekhu Chaudhary, Resident of Village-Khetalpura, P.S.-Sare, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 12-12-2018 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Saare P.S. Case No. 71 of 2018 registered for the offence punishable under Sections 341, 323, 379, 307, 354, 447, 448, 34 of the Indian Penal Code and later on Section 302 of the IPC.

Informant has alleged in his fardbeyan that he received a complaint from his minor daughter Nisha Kumari that brother of petitioner Dhuri Chaudhary used to tease her and had entered his home and on receiving such information he came to his house and on 13.06.2018 went to make such complaint to the parents of accused but thereafter three persons



named in the FIR assaulted him by lathi and iron rod and when his wife came to save him, she was also assaulted, in which both received single injury on their head, however during treatment the wife of informant died. According to post mortem report she suffered one head injury on parietal region which has been found to be simple in nature and cause of death has not been ascertained and for which Viscera report has been sent for FSL examination. Injury received by informant is also simple in nature. There is no allegation of teasing against both the petitioners and they have no criminal antecedent and they are in custody since 28.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Nalanda at Biharsharif, in connection with Saare P.S. Case No. 71 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bond.



(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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