

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13305 of 2019**

Arising Out of PS. Case No.-455 Year-2018 Thana- JAYNAGAR District- Madhubani

RAJ DEO CHOUDHARY, aged about 60 years, (M) Son of Late Ram Avtar Choudhary Resident of village-Barhi, P.S.-Jai Nagar, District-Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Shaheen Begum

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

2      14-03-2019                      Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 447, 147, 149, 302, 323, 324, 307 and 120 (B) of the Indian Penal Code.

Informant has alleged in his written complaint that FIR named accused entered into his house and started assaulting his father. Allegation against petitioner is that he tried to assault informant on his head but he sustained injury on his shoulder. Further allegation against petitioner is that he caught hold of his father and thereafter specific allegation against Prabhash Chaudhary of stabbing his father multiple time on his stomach as a result of which he died.



It has been submitted on behalf of the petitioner that allegation of stabbing which resulted in death of his father is on Prabhash Choudhary and only allegation against him is that he caught hold of his father. The injury sustained by the informant is simple in nature. There is previous dispute between the parties which has been admitted in the FIR itself. Petitioner has got no criminal antecedent and is in custody since 31.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Jai Nagar P.S. Case No. 455 of 2018**, with following condition:-

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

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates



without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner 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 petitioner.

**(S. Kumar, J)**

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