

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12256 of 2019

Arising Out of PS. Case No.-409 Year-2018 Thana- GRIYAK District- Nalanda

Surendra Choudhary, Son of Sitaram Choudhary, Resident of Village -
Jalalpur, P.S. Giriyak, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 19224 of 2019

Arising Out of PS. Case No.-409 Year-2018 Thana- GRIYAK District- Nalanda

Surendra Choudhary, Son of Late Sahdeo Choudhary, Resident of Village-
Jalalpur, P.S. - Giriyak, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 12256 of 2019)

For the Petitioner/s : Mr.Nilesh Kumar

For the Opposite Party/s : Mr.Abhay Kumar

(In CRIMINAL MISCELLANEOUS No. 19224 of 2019)

For the Petitioner/s : Mr.Pramod Kumar Sinha

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 08-05-2019 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in a case registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

At about 10pm, the informant heard sound of firing in
his house. When he woke up, he found five persons inside the
house including petitioner Surendra Choudhary son of Sita Ram



Choudhary. He further noticed that his wife had sustained firearm injury. The son of the informant disclosed that co-accused Tarkeshwar Choudhary had dragged to the wife of the informant and fired at her causing her death. Petitioner Surendra Choudhary son of Late Sahdeo Choudhary and two others were seen outside the house.

The land dispute is between the informant and said Tarkeshwar Choudhary who is assailant of the deceased.

Submission is that the petitioners have been falsely dragged in this case and no overt act is alleged against the petitioners, rather they were members of unlawful assembly. Petitioners are in custody since 25.10.2018 and 27.11.2018 respectively. Investigation of the case is already complete.

Considering the aforesaid material, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Giriyak Police Station Case No. 409 of 2018, with the following conditions:

(a) Both the bailors shall be the resident of territorial



jurisdiction of the learned court-below having immovable property.

(b) The petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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