

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27988 of 2019

Arising Out of PS. Case No.-201 Year-2018 Thana- NAWANAGAR District- Buxar

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BHUTELI CHOUDHARY @ SACHIDA CHOUDHARY @
SACHIDANAND @ SACHITANAND CHOUDHARY Son of Ramekabal
Chaudhari Resident of Village-Dhanapura, P.S-Agiaon Bazar, District-
Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate.

For the Opposite Party/s : Mr. Kanhaiya Kishore, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-04-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Nawanagar**
(Sonversa) P.S. Case No. 201 of 2018, instituted for the offence
under Section(s) 302, 120(B)/34 of Indian Penal Code and
Section 27 of the Arms Act.

In the written report there is specific allegation
against co-accused Awadh Bihari Dubey, Brahamchari Dubey,
Chandrabhan Dubey and Gobinda Dubey. It is alleged that on
the order of Awadh Bihari Dubey, Brahamchari Dubey fired shot
on the father of the informant. Chandrabhan Dubey also fired on
the father of the informant. Subsequently, Gobinda Dubey fired
on the father of the informant. The father of the informant fell



down. Thereafter, all the accused persons fled away making firing in the air.

Counsel for the petitioner submits that petitioner is not named in the written report. He further submits that First Information Report has been lodged against 3 named accused persons and 3-4 unknown persons. Petitioner has been implicated in the instant case merely on suspicion. Counsel for the petitioner further submits that co-accused Awadh Bihari Dubey has already been granted bail by coordinate Bench of this Court vide order dated 16.01.2019 passed in Cr. Misc. 1169 of 2019.

Petitioner is in custody since 28.01.2019.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Buxar**, in connection with **Nawanagar (Sonversa) P.S. Case No. 201 of 2018**, subject to the condition that both the bailors will be close relatives of the petitioner.

It is mentioned in paragraph-3 of the bail petition



that one Excise case of Nawanagar P.S. Case No. 198 of 2018 is pending against the petitioner. **Petitioner will file affidavit at the time of furnishing bail bonds that he will not indulge in such type of activity in future, failing which, the bail bonds of the petitioner in the instant case will liable to be cancelled.**

(Sanjay Priya, J)

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