

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40180 of 2019

Arising Out of PS. Case No.-258 Year-2018 Thana- DULHIN BAZAR District- Patna

1. DINESH CHOUDHARY @ DINESH KUMAR,
2. Umesh Choudhary, both Son of Narayan Choudhary, Resident of Village - Kopa Singhara, P.S.- Dulhin Bazar, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kishor

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 30-08-2019 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in **Dulhin Bazar P.S. Case**
No.258 of 2018 instituted for the offence under Section(s)
302/34 Indian Penal Code.

Counsel for the petitioners submits that there is no eye
witness in the case. Informant is not eye witness. Petitioners are
in custody since 29.10.2018.

In the written report, it is alleged that the informant is
living in *Naihar* for last two months with children due to family
disputes. She received information that her husband, Raj Kumar
Choudhary, has been murdered by his nephew Dinesh
Choudhary and Umesh Choudhary. It is further alleged that her



nephew Dilip Kumar and Sanjay Choudhary have disclosed that her husband has been assaulted by Dinesh Choudhary and Umesh Choudhary.

Case diary has been received, wherein, statement of one of the witness, Sanjay Choudhary, is recorded in para 6, which shows that he is also hearsay witness. Police has not recorded statement of another nephew.

In the 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 the **Additional Chief Judicial Magistrate, III, Danapur**, in connection with **Dulhin Bazar P.S. Case No.258 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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