

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46058 of 2019

Arising Out of PS. Case No.-7 Year-2019 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

SUBODH CHAUDHARY @ SUBODH CHAUDHAR Son of Manoj
Chaudhary @ Manoj Kumar Resident of Village - Bahikata, Madarichak,
Bardhanapur, P.S.- Jayrampur, Distt – Sheikhpura. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha, Adv
For the Opposite Party/s : Mr.Sanjay Kumar, Adv
For the Sate : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 26-07-2019 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 147,148,149,302/120(B) of
the Indian Penal Code.

Seven person including the petitioner allegedly
assaulted to the husband of the informant with Lathi etc, as a
result whereof, husband of the informant died during course of
treatment. The postmortem report would reveal that the Doctor
found five injuries on the person of the victim. Out of that, a
swelling was there at the temporal region and one abrasion near
the swelling aforesaid. Other injuries were at the wrists, lower
part of leg and leg.

Submission of learned counsel for the
petitioner is that it is difficult to attribute as to which of the



individual accused had caused injury at the head of the deceased against whom knowledge can be attributed that his act might cause death. Further submission is that the assailants were carrying lathi and hence it cannot be said that they were having criminal intent and prior meeting of mind to commit murder. Petitioner is in custody since 02.04.2019.

Learned counsel for the informant opposed the prayer for bail.

Considering the general and omnibus nature of allegation, let the petitioner, above named, be released on bail **after completion of investigation** on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Shekhopur Sarai Police Station Case No.07 of 2019, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the investigation of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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