

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50010 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- DHANSOI District- Buxar

SANJAY CHOUBEY @ SANJAY KUMAR CHOUBEY Son of Late Ram Pravesh Choubey. Resident of Village - Choubey Ka Parsiya, P.S.- Dhansoi, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nitya Nand Tiwary, Advocate Mr.Mukesh Kumar, Advocate
For the State	:	Mr.Anant Kumar No.1, A.P.P.
For the Informant	:	Mr.Ojha Jee, Advocate

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 13-08-2019 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 341, 323, 504, 506, 307, 379, 354A/34 of the Indian Penal Code and Section 27 of the Arms Act.

Submission of the learned counsel for the petitioner is that there is case and counter case. Petitioner has got no criminal antecedent. Land dispute is going on between the parties.

In the first part allegation is against co-accused, *Suman Choubey* and the petitioner to have fired from their



respective pistols. However, no injury was caused to anyone. In the subsequent part of occurrence, the petitioner and others allegedly assaulted with lathi and iron rod, causing injury at the head of the injured. Petitioner is in custody since 12.06.2019.

Learned counsel for the informant opposed the prayer for bail on the ground that allegation is specific against the petitioner to have caused injury at the head of the injured. Hence, petitioner had knowledge that his act might cause death.

Considering the entire facts of this case, let the petitioner, above named, be released on bail ***after completion of investigation*** on furnishing bail bond of Rs.20,000/- (Rupees 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 Dhansoi Police Station Case No.05 of 2019, subject to condition that *both the bailors shall be resident of the territorial jurisdiction of the learned court below and the petitioner shall fully co-operate with the investigation/trial 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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