

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51468 of 2019

Arising Out of PS. Case No.-37 Year-2019 Thana- HASPURA District- Aurangabad

1. Manoj Choudhary, aged about 40 years (M), Son of Ram Pravesh Choudhary @ Fatu Choudhary, Resident of Village Adarsh Nagar, Haspura, P.S. Haspura, District- Aurangabad.
2. Ajay Choudhary, aged about 32 years (Male), Son of Ram Pravesh Choudhary @ Fatu Choudhary, Resident of Village Adarsh Nagar, Haspura, P.S. Haspura, District- Aurangabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Shailesh Kumar Singh, Advocate.
For the Opposite Party : Mr. Surendra Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-08-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are languishing in custody since 09.04.2019 in a case for the offence registered under Sections 302/34 of the IPC.

The prosecution story, in brief, is that on 08.04.2019 at 6.00 A.M. when the informant returned from natural call and was at his Darwaza, his brother Anil Choudhary came and informed him that their mother is lying dead at her hut and her neck has been cut. Then they went to the hut of their mother and



found that their mother dead lying with blood on the floor. It is further alleged that four days prior to the occurrence, the uncle of the informant, namely, Ram Pravesh Choudhary, had given threatening to his mother to kill her as she is obstructing the partition and due to this very cause, Ram Pravesh Choudhary and all his sons, namely, Manoj, Ajay, Vijay and Munna Choudhary caused death of his mother by cutting her neck.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case merely on the basis of suspicion. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present case. There is no eye witness to the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned



S.D.J.M. Daudnagar (Aurangabad), in connection with Haspura
P.S. Case No. 37 of 2019.

(Sudhir Singh, J)

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