

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77865 of 2018

Arising Out of PS. Case No.-126 Year-2018 Thana- RAHUI District- Nalanda

Ishwar Choudhary Son of Late Kishun Choudhary Resident of Village
Sosandi, P.S. - Rahui, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Sri Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Rahui P.S. Case No.126 of 2018** registered for the offence punishable under Sections 147, 149, 323, 504, 307, 302 and 325 of the Indian Penal Code.

Informant has alleged that while he was sitting outside his house FIR named accused variously armed with *Lathi*, *Danda*, *Khanti* and iron rod came to his house as there was land dispute and money dispute with them and started assaulting him and his family members. Specific allegation of assault is against co-accused Nitish Kumar and Brij Kishore. Allegation against petitioner is that he is order giver. The grandfather of Informant died during treatment.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to



land dispute. He is in custody since 11.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Nalanda**, in connection with **Rahui P.S. Case No.126 of 2018** with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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