

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77552 of 2019

Arising Out of PS. Case No.-526 Year-2019 Thana- NAUBATPUR District- Patna

SHATRUDHAN CHAUDHARY, male, aged about 29 yrs. S/o Sri Tanu Chaudhary, Residing of Village- Mahammedpur, P.S.- Naubatpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Kumar Maharaj
For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 28-11-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 188, 341, 323, 332, 143, 333, 353 & 302 of the Indian Penal Code.

Informant is a police officer who has alleged in his written complaint that on 10.08.2019 at about 7.30 a.m., he received a telephonic information that one person is being assaulted by the villagers on the rumor that he was a child lifter and on getting said information, he along with other police personnel reached the place of occurrence and found that 150-200 persons variously armed with lathi, danda, farsa and bhalla were brutally assaulting one person and every effort by the informant and other police personnel to rescue the said person from the mob failed and police personnel were also attacked and



suffered injury. However, somehow he was set free from the mob and taken to hospital where he died.

It has been submitted on behalf of the petitioner that 44 are FIR named accused, 10-15 unknown and 100 to 150 persons fled away from the place of occurrence. It has further been submitted that although petitioner is named in FIR the allegations are general and omnibus against all the named accused and there is no allegation of any specific overt act against the petitioner. It has further been submitted that similarly placed co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide order dated 22.10.2019 passed in Cr. Misc. No.64196 of 2019. Petitioner has no criminal antecedent and he is in custody since 10.08.2019.

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 court below where the case is pending in connection with Naubatpur P.S. Case No. 526/2019, 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)

Sanjay/-

U		T	
---	--	---	--

