

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80458 of 2019

Arising Out of PS. Case No.-400 Year-2019 Thana- BAHERA District- Darbhanga

BINAY KUMAR CHAUDHARY Son of Late Ram Bujhawan Chaudhary
Resident of Village - Haripur, P.S.- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhusudan Kumar

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-12-2019 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections
323, 341, 379, 307, 354B, 504 and 506/34 of the IPC.

It is submitted by counsel for the petitioner that no case
under sections 307, 379 and 354B IPC is made out against the
petitioner and rest of the offences are bailable in nature. There is
land dispute between the parties and petitioner has also filed
Bahera P.S. Case no. 401/2019 against the informant of this case
and others. He further submits that the petitioner is cousin
brother of the informant. He further submits that informant of
this case has filed this case to grab the land of accused persons.
He further submits that petitioner is in custody since
04.09.2019. Hence prayer for grant of bail to the petitioner.



Counsel for the petitioner also submits that similar allegation of causing injury to wife of the informant is not corroborated by the injury report (Annexure P-3).

Learned A.P.P. opposes the prayer for bail.

Considering the aforesaid submissions, prayer for bail is allowed.

Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Benipur in Bahera P.S. Case no. 400/2019 subject to the following conditions.

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

s.hassan/-

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(Madhuresh Prasad, J)

