

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82636 of 2019**

Arising Out of PS. Case No.-40 Year-2019 Thana- RANIYATALAB District- Patna

Budhan Choudhary @ Naulesh Chaudhary @ Budheri S/o Lohri Choudhary
R/o village- Rajipur, P.S.- Rani Talab, District- Patna, Bihar ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Prashant Kumar, Advocate
For the Opposite Party : Mr.Amitesh Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsel for the parties.

Petitioner apprehends arrest in a case registered for the offence punishable under section 307/302 and other allied sections of the Indian Penal Code.

It is alleged that reacting on a trivial issue, the petitioner initially attempted to assault the informant and later on seven accused persons assembled at her house and assaulted her family members causing injuries to some of them. Father-in-law of the informant was referred to PMCH where he died in course of treatment.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case as there is no specific allegation of committing any overt against him. Specific allegation is against co-accused Lohri Chaudhary who is in custody. Petitioner has got no criminal antecedent. Similarly situated co-accused has already been allowed pre-arrest bail by a bench of this Court vide order dated 5.9.2019, passed in Cr.Mis.No. 55819 of 2019.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. In the event of



arrest/surrender within a period of six weeks from today, let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st class, Danapur Patna in Raniya talab Police Station Case No. 40 of 2019,v on the following conditions:-

(1) 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.

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

(Prabhat Kumar Singh, J)

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