

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13938 of 2020**

Arising Out of PS. Case No.-242 Year-2019 Thana- BASANTPUR District- Siwan

Binda Chaudhary, S/o- Late Bhola Chaudhary, R/o of Village- Bassaon, P.S.-
Basantpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Pradeep Narain Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 16-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with
Basantpur P.S. Case No. 242 of 2019, registered under Section
302/34 of the Indian Penal Code.

The accusation is that on 08.07.2019, at about 4
P.M., Jainath Rai, uncle of the informant, Akhilesh Kumar
Yadav, moved from his house to Shaharkola Bazar boarding on
motorcycle, from where, Narendra Rai accompanied his uncle,
Jainath Rai, at Kranti More, Basao but till late night, his uncle
did not return to his house. Thereafter, informant tried to talk on
his mobile but his mobile was found switched off. In the next
morning, informant and other family members started to search



his uncle then his dead body was found at canal near Kanti More, sustaining cut injury at his belly. Earlier, Shivnath Chaudahry, Binda Chaudhary(petitioner), Sanjay Baba and Narendra Rai had given threatening to kill his uncle, Jainath Rai, if he will see at Kranti More. The informant raised suspicion having hand in the murder of his uncle, Jainath Rai, by five persons named in the FIR including the petitioner.

Learned counsel for the petitioner submits that petitioner is co-villager of the informant and due to dirty village politics, petitioner has falsely been implicated in the present case. Further submission is that it would appear from the FIR and the case dairy, which is up to paragraph 82 of the case dairy, none had seen the killing of the deceased but mere on suspicion, informant lodged the present case with false allegation against five persons including the petitioner. It is further submitted that petitioner is in custody since 25.12.2019.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan, in connection with Basantpur P.S. Case No. 242 of 2019. Out of



two sureties, one surety must be the close relative of the
petitioner.

(Rajendra Kumar Mishra, J)

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