

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18640 of 2020

Arising Out of PS. Case No.-12 Year-2014 Thana- BARIYARPUR District- Munger

Rajesh Chaudhary, aged about 50 Years, Gender – Male, Son of Ramanand Chaudhary, resident of village- Dumarya Bujurg, P.S.- Parbatta, District- Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Mishra

For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 08-06-2020 Heard Mr. Suman Kumar Mishra, learned counsel for the petitioner and Mr. Syed Ehteshamuddin, learned Additional Public Prosecutor appearing for the State through video conferencing.

The petitioner seeks regular bail in connection with Bariarpur P.S. Case No. 12 of 2014 (G.R. No. 95 of 2014) registered for the offence punishable under Sections 147/148/149/323/506/379 of the Indian Penal Code, 1860 and Section 27 of Arms Act.

The allegation against the petitioner as per the First Information Report lodged by the informant - Rajesh Kumar Yadav is that on 27.11.2013 in the afternoon while he was in the agricultural field of his owner- Arun Kumar Sinha, the petitioner



along with other accused persons arrived there having deadly weapons in their hands and started indiscriminate firing creating chaos and fear over there. It has further been alleged that the petitioner pointed rifle upon the informant and threatened him with dire consequences, and thereafter, the accused persons took away the standing crops from the field.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged. Learned counsel further submits that similarly situated accused persons namely, Mintu Singh and Bablu Singh have been granted bail by this Court in Cr. Misc. No. 36347 of 2014 and Cr. Misc. No. 37100 of 2014 respectively. Learned counsel further submits that petitioner was remanded in this case on 29.01.2020. Learned counsel also submits that no body has received injuries due to the alleged firing made by the petitioner and other co- accused persons.

Having regard to the submissions made by the parties and taking into consideration the fact that similarly situated accused persons have been granted bail by this Court and petitioner is in custody since 29.01.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Munger in connection with Bariarpur P.S. Case No. 12 of 2014 (G.R. No. 95 of 2014) on the following conditions:-

(i) that one of the bailors shall be the father of the petitioner.

(ii) that the petitioner shall co-operate in the trial and shall be present on each and every date fixed by the Court below and his absence on two consecutive dates without any proper and just explanation will be sufficient to cancel his bail bond.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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