

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23267 of 2020

Arising Out of PS. Case No.-410 Year-2019 Thana- BARACHATTI District- Gaya

MANOJ CHAUDHARY Son of Biphan Chaudhary Resident of Village-
Bardag Tola Sakat, P.S.-Mohanpur, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-09-2020 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

The petitioner seeks bail in Barachatti P.S. Case No.
410 of 2019, registered for the offence punishable under
Sections 147, 149, 341, 323, 447, 307, 379, 504 and 506 of the
Indian Penal Code. Later on, section 302 was added.

As per the prosecution case, on 02.09.2019 at 9.30
pm, all the accused persons including this petitioner having
variously armed came at the house of informant and this
petitioner is alleged to have assaulted the husband of informant
with Khanti and other accused persons assaulted with lathi,



danda etc., later on, during course of treatment husband of informant died.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. There is land dispute between the parties. Both the parties are Gotia. Moreover, there is general omnibus allegation against this petitioner. Petitioner is in custody since 30.09.2019 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that there is specific allegation that this petitioner assaulted the husband of informant with Khanti as a result of which he died.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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