

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72766 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- NATWAR District- Rohtas

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GUPTESHWAR CHAUDHARY Son of Hari Shankar Chaudhary Resident of
Village - Asiya Tola, P.S.- Natwar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Arvind Kumar Pandey
For the Opposite Party/s	:	Mr.Awadhesh Kumar Singh
For the informant	:	Mr. Arun Kumar Singh No.4

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 341/323/324/325/379/307/506/34 of the Indian Penal Code and Section 302 of IPC was also added.

Informant has alleged that while he was coming after finishing his work, the FIR named accused including the petitioner abused, slapped and assaulted him and at the instigation of co-accused, Dharampal Chaudhary, Ramyash Kumar assaulted over the head of uncle of informant by means of Kudal as a result of which, he sustained head injury and blood started oozing out. Co-accused Rameshwar Chaudhary fractured the left hand of informant's uncle by assault from



lathi.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that there is no allegation of any overt act against petitioner and the only allegation against him is that he was sitting at the bridge of canal while the occurrence took place. Similarly placed co-accused has already been granted bail by a co-ordinate Bench of this Court as contained in Annexure 3/1. Petitioner has no criminal antecedent.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Natwar P.S. Case No.55/2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court



concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

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

(S. Kumar, J)

Sanjay/-

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