

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84942 of 2019**

Arising Out of PS. Case No.-49 Year-2019 Thana- AKHODHIGOLA District- Rohtas

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AMIT CHOUDHARY @ CHHEDI @ AMIT KUMAR Son of Kanhaiya Chaudhary @ Kanhaiya Ram Resident of Village - Praduman (Tola), Baradhi Gola, P.S.- Akodhigola, Distt.- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Siddharth Harsh, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      18-03-2020                      Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has prayed for bail in connection with Session Trial No. 453 of 2019 arising out of Akorhigola P.S. Case No. 49 of 2019 registered for the offence punishable under sections 341, 323, 504, 302 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated that over a minor dispute between the parties, the petitioner who is the neighbour of the informant, assaulted the informant's mother with fists and kicks as a result of which she died.

It is submitted by learned counsel for the petitioner that from perusal of the FIR it would transpire that the



occurrence is alleged to have taken place as a result of some misunderstanding. Even as per the FIR, the petitioner was not armed and in fact the occurrence has taken place as a result of the mother of the informant being attacked by the goat, having fallen down and sustained injury which proved fatal. It is further submitted that the petitioner has no criminal antecedent and he is in custody since 22.05.2019.

Having heard learned counsel for the parties, in the facts and circumstances of the case, specially in view of the nature of allegation as described in the FIR together with the period of the petitioner in custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-XV, Rohtas at Sasaram in connection with Session Trial No. 453 of 2019 arising out of Akorhigola P.S. Case No. 49 of 2019.

It is further directed that in course of trial the petitioner shall remain present in Court on each and every date and in case of his absence on two consecutive dates for reasons not to the satisfaction of the Court below, bail granted to the



petitioner shall be cancelled and he shall be taken into custody  
till conclusion of the trial.

**(Partha Sarthy, J)**

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