

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13174 of 2021

Arising Out of PS. Case No.-178 Year-2020 Thana- GURUA District- Gaya

AKHILESH CHAUDHARY Son of Arjun Chaudhary Resident of Village -
Auradih, P.S.- Gurua, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Adv
For the Opposite Party/s : Ms. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 31-08-2021 In view of sudden resurgence of COVID – 19
infection there is limited functioning of the High Court and
therefore the matter has been listed for consideration through
virtual mode.

Heard learned counsel for the petitioner and learned
APP for the State.

This Court would expect that the petitioner's
Counsel would honour his undertaking in the instant
proceedings regarding supply of requisite court fee etc. within
two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Gurua P.S.
Case No. 178 of 2020 registered under Sections 341, 323, 302,
504 and 34 of the Indian Penal Code.

The petitioner along with Arjun Choudhary has



allegedly assaulted the informant's husband by iron rod on his head.

Learned counsel for the petitioner submits that over a trivial dispute the free fight took place. There is no intention to kill the victim and the allegations levelled in the FIR are based on subsisting family land disputes. The petitioner is stated to be in custody since 30.9.2020 and has no criminal antecedent.

The case diary had earlier been called for.

Learned APP has appeared through virtual mode. The bail has been opposed referring to the post-mortem report wherein the doctor has found swelling, hematoma on the scalp and fracture on both sides of parieto temporal region. It is submitted that the specific allegation of the informant as a witness of inflicting the fatal assault stands corroborated by the medical report.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the learned APP. This Court, for the present, is not inclined to allow petitioner's prayer for bail. The same is rejected.

The application for bail is thus dismissed.

The learned Court below is directed to proceed with



the trial expeditiously without any undue delay or unnecessary adjournments.

(Madhuresh Prasad, J)

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