

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15644 of 2021

Arising Out of PS. Case No.-299 Year-2019 Thana- NARDIGANJ District- Nawada

PINTU CHAUDHARY @ PRASHANT CHAUDHARY SON OF GORE
CHAUDHARY Resident of Village - Pesh, P.S.- Nardirganj, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mrs.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 26-07-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 341, 323, 307, 337, 379, 504/34 of the Indian Penal Code.

As per the prosecution case, on 30.11.2019 at about 6 PM this petitioner along with two other accused persons came to the house of informant, abused her and instigated the husband of informant to come out from the house. The petitioner was carrying iron rod in his hand and other accused persons were armed with Lathi and Danda. The accused persons forcibly entered into the house of informant and assaulted the husband of informant as a result of which the husband of informant received multiple injuries and he succumbed to the injuries. It is further alleged that the accused persons snatched jewelry from



the informant and her family members.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. There is counter version of the occurrence and there is land dispute between the parties. Both the parties are agnates and the FIR has been lodged after two days of the occurrence and there is no explanation for such delay. Petitioner is in custody since 03.01.2020 and he claims fair antecedent.

Learned counsel appearing for the State opposes the prayer for bail and submits that petitioner is one of the assailants and there is specific allegation against the petitioner that he caused head injury to the deceased and the post mortem report also suggests that cause of death is head injury caused by hard and blunt object.

Considering the facts of the case and the nature of allegation made against the petitioner and the fact that petitioner is one of the assailant of the deceased, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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