

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20529 of 2021

Arising Out of PS. Case No.-340 Year-2020 Thana- AKBARPUR District- Nawada

1. ARUN CHAUDHARY SON OF MR. TULSI CHAUDHARY RESIDENT OF VILLAGE- FATEHPUR, P.S.- AKBARPUR, DISTRICT- NAWADA
2. TULSI CHAUDHARY SON OF LATE BANSI CHAUDHARY RESIDENT OF VILLAGE- FATEHPUR, P.S. AKBARPUR DISTRICT- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udbhav, Advocate
For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-10-2021 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in connection with a case registered under sections 307, 323, 341 and 34 of the Indian Penal Code to which section 302 of the IPC was added subsequently.

As per the prosecution case, the four named accused persons including the two petitioners herein are stated to have come variously armed with lathi, danda, Kulhari etc and of having assaulted Lakhan Choudhary and Pradip Choudhary.

It is submitted by learned counsel for the petitioners that subsequently Lakhan Choudhary died and by order dated 9.7.2020 section 302 of the Indian Penal Code was



added in the FIR. The petitioners have been falsely implicated in the case. The allegations are general and omnibus in nature. The petitioner no. 2 and the deceased happen to be brothers. The petitioners are in custody since 1.7.2020 and charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the general and omnibus allegations against the accused persons in the FIR and the petitioners having remained in custody for over 1 year, the Court directs the petitioners to be enlarged on bail in connection with Akbarpur P.S. Case no. 340 of 2020 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada.

(Partha Sarthy, J)

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