

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22942 of 2021

Arising Out of PS. Case No.-63 Year-2019 Thana- NAWADA MUFFASIL District- Nawada

RAVINDRA CHAUDHARY S/o - CHAMARI CHAUDHARY Resident of
Village- Kharat, Police Station- Muffasil, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.A.PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-11-2021 Heard learned counsel for the petitioner and learned
counsel for the informant and learned APP for the State.

Petitioner seeks bail in connection Muffasil P.S. Case
no. 63 of 2019 registered for the offence punishable under
sections 341, 323, 324, 302 and 504/34 of the Indian Penal
Code.

Learned counsel for the petitioner at the outset submits
that petitioner is in custody since 28.09.2020, charge sheet has
been submitted and charge has been framed on 02.02.2021.

Learned counsel for the petitioner submits that from
bare perusal of the allegation as alleged in the FIR, it would
manifest that petitioner and the informant are agnates and
because of property dispute, the occurrence had taken place,
exaggerated version of which has been narrated in the first



information report. Further, learned counsel submits that though it has been alleged that the deceased was assaulted in his chest with iron rod but from post mortem report, it would manifest that no ante mortem injury is on the chest. Further, he submits that co-accused Chamari Chaudhary against whom it is alleged that he assaulted the deceased with iron rod on chest has been granted bail by this court vide order dated 25.01.2021 in Cr. Misc. no. 21444/2020, the bail was granted only after framing of the charge. Learned counsel for the petitioner submits that case of the petitioner is on better footing than Chamari Chaudhary, In this case, charges have been framed, trial has commenced and only one witness has been examined.

Learned counsel for the informant vehemently opposed the prayer for bail but on query as to whether allegation against this petitioner and allegation against Chamari Chaudhary is similar or allegation against Chamari Chaudhary is more serious than this petitioner, on that learned counsel for the informant fairly submitted that allegation against Chamari Chaudhary is serious than what has been alleged against the petitioner.

Learned APP also opposed the prayer for bail.

Considering the facts that petitioner is in jail custody since 28.09.2020, charge sheet has been submitted and co-



accused Chamari Chaudhary has been granted bail by this court, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge VII, Nawada in Sessions trial no. 17/2020 arising out of Muffasil P.S. Case no. 63 of 2019 with condition that in the event petitioner on two consecutive dates does not appear in the trial, the court below will be at liberty to cancel his bail bond.

(Satyavrat Verma, J)

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