

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28226 of 2021

Arising Out of PS. Case No.-601 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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DHIRAJ CHOUDHARY@DHIRAJ KUMAR CHOUDHARY Son of Late
Hare Ram Choudhary Resident of Village - Lakho, P.S.- Mufassil (Lakho
O.P.), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Archana Sinha, Advocate
For the informant	:	Mr. Prasanjit Pritam, Advocate
For the State	:	Mr. Bharat Lal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-12-2021 Heard Mrs. Archana Sinha, learned counsel for the

petitioner, Mr. Prasanjit Pritam, learned counsel for the

informant and Mr. Bharat Lal, learned Additional Public

Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Begusarai Mufassil P.S. Case No. 601 of 2020 registered for the
offences punishable under Sections 341, 323, 307, 302, 447,
387, 324, 504 and 506/34 of the Indian Penal Code 1860.

The allegation against the petitioner is that he along
with his brother Deepak choudhary assaulted the brother of the
informant by means of iron rod and *khanti*, due to which, he
died.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to dispute relating to purchase of coconut inasmuch as the deceased was engaged in the business of coconut. Learned counsel further submits that the allegation of assault is upon two brothers and the simple injuries have been found on the person of the deceased.

On the other hand, learned counsel for the informant vehemently opposes the prayer for bail and submits that there is specific allegation of assault against the petitioner and other by means of iron rod and *khanti* and the allegation made in the First Information Report is supported by the postmortem report inasmuch as the victim has sustained multiple injuries on his body. He next submits that the regular bail of similarly situated co-accused person namely, Deepak Choudhary, has been rejected by a co-ordinate Bench of this Court in Cr. Misc. 26923 of 2021.

Regards being had to the submissions made by the parties and taking into consideration the materials on record, the nature of allegation and the fact that the bail application of the similarly situated co-accused person has been rejected by a co-ordinate Bench of this Court, I am not inclined to grant regular



bail to the petitioner.

Accordingly, the prayer for bail of the petitioner
stands rejected.

(Anil Kumar Sinha, J)

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