

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30452 of 2021

Arising Out of PS. Case No.-411 Year-2020 Thana- SIRDALA District- Nawada

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BRIJ CHAUDHARY Son of Late Gonu Chaudhary Resident of Village-
Hemja Deopal, Police Station- Sirdala, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-12-2021 Heard Mr. Alok Kumar Alok, learned counsel for the

petitioner and Mr. Khurshid Anwar, learned Additional Public

Prosecutor for the State .

Petitioner seeks regular bail in connection with
Sirdala (Meskaur) P.S. Case No. 411 of 2020 registered for the
offence under Section 341 / 323 / 307 / 302 / 34 of the I.P.C.

The allegation as per the First Information Report is
that the petitioner along with other accused persons had a
quarrel with the deceased on the point of theft of fish on 26-09-
2020. It has further been alleged that in the night of 26-09-2020
when the deceased had gone outside for nature's call, he was
assaulted by the petitioner and other accused persons by means



of *lathi, danda* etc. due to which hands and legs of the deceased got broken and he was admitted in hospital and during the course of treatment the deceased died on 08-10-2020.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and the F.I.R. has been lodged after delay of about 12 days. He further submits that no F.I.R. was lodged regarding the alleged assault upon the person of the deceased by the petitioner and other accused persons on 26-09-2020 and after the death of the deceased due to brain hemorrhage in hospital the petitioner has been roped in the present case on the basis of concocted story. Petitioner is in custody since 10/10/2020 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that there is unexplained delay in lodging the F.I.R., the allegation against the petitioner is general and omnibus in nature, he is in custody since 10.10.2020 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000/-



(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – 1st , Nawada in connection with Sirdala (Meskaur) P.S. Case No. 411 of 2020.

(Anil Kumar Sinha, J)

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