

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38402 of 2021**

Arising Out of PS. Case No.-57 Year-2020 Thana- BHAGWANGANJ District- Patna

Lalmohan Chaudhary, aged about 32 years, male, S/O Girija Chaudhary R/O Village Deoria, P.S- Bhagwanganj, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Ajay Kumar Sinha, Adv.

For the Opposite Party : Mr. Mohammad Sufyan, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      14-12-2021                      Heard learned counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Bhagwanganj P. S. Case No. 57 of 2020 registered for offence punishable under Sections 147,148,149, 323, 341, 307, 504 of the Indian Penal Code and Section 27 of the Arms Act.

There is an allegation that Nawalesh Kumar and five co-accused persons, including the petitioner have fired upon the informant and one Suryakant.

Learned counsel for the petitioner submits that even



as per allegations, the gut shot attributed to the petitioner has not caused injury to anyone. It is co-accused Nawalesh Kumar, who has caused firearm injury to Suryakant, as per allegation made in the First Information Report. He submits that implication of the family members is based on subsisting dispute between the parties. The petitioner was earlier accused in the unnatural death of his *Bhabhi* in *Bhagwanganj* P. S. Case No. 91 of 2020, in which case, he is on bail. In the instant case, he is in custody since 10.08.2020.

Learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, Masaurhi, Patna, in connection with Sessions Trial No. 418 of 2020, arising out of *Bhagwanganj* PS Case No. 57 of 2020, subject to the following conditions:-



(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

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