

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32686 of 2020

Arising Out of PS. Case No.-39 Year-2020 Thana- OBRA District- Aurangabad

Golu Chaudhary, aged about 20 years, Male, Son of Jag Narayan Chaudhary,
Resident of Village - Tejpura, P.S. - Obra, Daudnagar, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Mukul Kumari, Advocate

For the State : Mr.Yogendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-01-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Obra P.S.
Case No. 39 of 2020 registered for the offences punishable
under Sections 302/34 of the Indian Penal Code.

The prosecution case was lodged on the basis of the
fardbeyan of one Antesh Kumar @ Chhotu Kumar alleged
tehrein that on 12.02.2020 at about 7.00 P.M., he was going to
attend call of nature where he saw the all accused persons along
with the petitioner were standing near the Community Hall,
Shiv Asthan under the Pipal tree. It is further alleged that the
informant saw his brother namely Sunil Chaudhary @ Videshi
who was coming toward the Sone river in the meantime Sanjay
Chaudhary and Sanju Chaudhary caught the brother of the



informant and Golu Chaudhary (petitioner) and Gabudan Chaudhary jointly inflicted him injuries caused by knife and when informant went there then they fled away. It is further alleged that two unknown persons were also there but the informant could not recognize them. On raising hulla, villagers approached there and taken to brother of the informant to hospital but in course of treatment, he died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that there is general and omnibus allegation against the petitioner. He further submits that there is no eye witness to support the said allegation against the petitioner. He further submits that in paragraph-35 of the case diary, the deceased is a veteran criminal.

Learned A.P.P. for the State opposed the bail petition and submits that on perusal of the F.I.R., it is apparent that the petitioner along with co-accused persons stabbed him resulting into his death during the course of treatment. There is specific overt act against the petitioner.

In the facts and circumstances of the case, I am not inclined to enlarge the above named petitioner on bail. Accordingly, the prayer for bail of the above named petitioner in



connection with Obra P.S. Case No.39 of 2020 pending in the
court of learned S.D.J.M., Daudnagar, Aurangabad is hereby
rejected.

(Anjani Kumar Sharan, J)

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