

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39158 of 2020

Arising Out of PS. Case No.-79 Year-2020 Thana- WAJIRGANJ District- Gaya

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Jitendra Chaudhary, aged about 28 years, male, Son of Mohan Chaudhary @ Mahavir Chaudhary, Resident of Village - Bajitpur P.S. - Wazirganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 03-05-2021 Heard Mr. Ajay Kumar Sinha, the learned Advocate
for the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Wazirganj P.S. Case No. 79 of 2020, dated 19.02.2020, instituted for the offences under Sections 302 and 323/34 of the Indian Penal Code.

Though the petitioner has been named in the F.I.R., but there is absolutely no accusation against him.



It has been stated that the brother of the informant and his wife were quarreling and when it was objected, the brother of the informant is said to have told the interjectors that it is their personal affair and that no interference should be made. On this, the brother of the informant was assaulted by many accused persons, who have been named in the first part of the F.I.R. When the informant and his father came to rescue, they too were assaulted and due to such assault, the father of the informant died. The specific accusation of assault is on other accused persons. Later, in the F.I.R., the petitioner's name has been included as persons who are responsible for the killing of the deceased.

Considering the vague nature of accusation against the petitioner and that he is not at all concerned with the affairs of the brother of the informant or his wife, he, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of



the like amount each to the satisfaction of learned Additional
Chief Judicial Magistrate-I, Gaya in connection with
Wazirganj P.S. Case No. 79 of 2020, subject to the
conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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