

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4478 of 2021

Arising Out of PS. Case No.-23 Year-2020 Thana- NATIONAL HIGHWAY District-
Samastipur

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DILIP CHAUDHARY SON OF LATE RAJENDRA CHAUDHARY
RESIDENT OF VILLAGE-RAHIMABAD, P.S.-N.H. BANGRA,
DISTRICT-SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Praveen, Advocate
For the Opposite Party/s : A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 28-06-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with N.H. Bangra P.S. Case
no. 23 of 2020 registered under sections 302 and 120B of the
Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, it is stated by the
informant that the accused Md. Ijaz and Jaynath Rai took away
her husband. Thereafter she received information that the seven
named accused persons including the petitioner herein as also
the aforesaid Md. Ijaz shot her husband in furtherance of a
conspiracy. It later transpired that Pramod Rai, Jaynath Rai, Md.
Ijaz and Dilip Chaudhary had caught hold of her husband while



Md. Azmi shot him.

It is submitted by learned counsel for the petitioner that the allegations as levelled against the petitioner in the FIR are false and concocted. Admittedly the informant is not an eye-witness to the occurrence. The petitioner is in custody since 27.8.2020 and co-accused Md. Azmi has been enlarged on bail vide order dated 27.5.2021 passed in Cr. Misc. no. 3842/2021.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the general and omnibus allegations against the petitioner, grant of bail to co-accused Md. Azmi and the petitioner being in custody for 10 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with N.H. Bangra P.S. Case no. 23 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Samastipur.

(Partha Sarthy, J)

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