

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9293 of 2021

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

Sanju Chaudhary @ Sanjiv Kumar, S/O-Kayeel Chaudhary @ Kishun Chaudhary, Resident of Village-Tejpura, PS- Obra, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogendra Kumar, Adv.

For the Opposite Party/s : Mr.Ram Chander Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-06-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Prosecution case in brief is that on 12.02.2020 while the informant was going to attend call of nature he saw the accused persons standing near the Samudayik Bhawan, Shiv Sthan, under the Pipal tree. He saw his brother Sunil Kumar @Videshi who was coming to home through Sone river



meanwhile Sanjay Chaudhary and Sanju Chaudhary (petitioner) caught his brother Sunil Kumar @ Videshi and Tunnu Chaudhary, Golu Chaudhary and Gabudan Chaudhary conjointly stabbed him. On seeing the informant, the accused persons fled away. Two unknown persons were also present there whom informant could not identify. Blood was oozing. On halla, villagers came and taken injured Sunil Kumar @ Videshi to the Hospital where he died during course of treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is allegation of stabbing is on other co-accused and the petitioner has only caught hold to the deceased. The petitioner is languishing in judicial custody since 03.08.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition. Charge sheet has been submitted in this case. Similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court which is annexed at Annexure-2 of the bail application.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on



furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Obra P.S. Case No. 39/2020 to the satisfaction of learned Court below where the case is pending.

(Anjani Kumar Sharan, J)

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