

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80178 of 2019

Arising Out of PS. Case No.-654 Year-2019 Thana- KHAGARIA District- Khagaria

1. SURESH CHAUDHARY Son of Late Laddu Chaudhary Resident of Village- Jalkaura, P.S.-(Gangaur), O.P.- Khagaria, District- Khagari
2. Shashi Chaudhary S/o Suresh Chaudhary Resident of Village- Jalkaura, P.S.-(Gangaur), O.P.- Khagaria, District- Khagari
3. Ajay Chaudhary S/o Vijay Chaudhary @ Vijay Choudhari Resident of Village- Jalkaura, P.S.-(Gangaur), O.P.- Khagaria, District- Khagari

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate
For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 26-10-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in connection with Khagaria (Gangaur) P.S. Case No. 654 of 2019 for the offence registered under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in brief, is that the petitioners along with others entered into the house of the informant by breaking the door of the house and killed Lakhan Choudhary while he was sleeping on the door.

Learned counsel for the petitioners submits that the



petitioners have falsely been implicated in this case due to land dispute. It is further submitted that no overt act has been alleged against the petitioners. It is further submitted that the petitioners have no criminal antecedent.

Learned counsel for the State on perusal of the case diary submits that the petitioners were present at the place of occurrence and there is sufficient materials in the case diary to implicate the petitioners in this case. Post mortem report reveals that the cause of death due to haemorrhage and shock resulting in cardiac failure due to the injury caused by fire arm

Considering the entire facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioners. It is, accordingly, rejected.

(Sunil Kumar Panwar, J)

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