

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12320 of 2021

Arising Out of PS. Case No.-71 Year-2020 Thana- SARE District- Nalanda

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1. SANTOSH CHAUDHARY Son of Late Dina Chaudhary Resident of Village- Gilani, Bighapar, P.S.- Sare, District- Nalanda.
 2. Lalkeshwar Chaudhary Son of Late Dina Chaudhary Resident of Village- Gilani, Bighapar, P.S.- Sare, District- Nalanda.
 3. Murari Chaudhary Son of Late Dina Chaudhary Resident of Village- Gilani, Bighapar, P.S.- Sare, District- Nalanda.
 4. Kamendra Chaudhary Son of Late Dina Chaudhary Resident of Village- Gilani, Bighapar, P.S.- Sare, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 05-01-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners and learned APP for the State through video conferencing.

The petitioners apprehend their arrest for the offences alleged under Sections 341, 504, 308, 323, 354 and 34 of the Indian Penal Code and later on Section 302/34 IPC was added, registered in connection with Sare P.S.Case No. 71 of 2020.



The informant Dinesh Chaudhary (since deceased) before his death, lodged the FIR that his sister-in-law (*Bhahu*) was on the way when the accused persons inflicted abusive words. When she raised hue and cry, the informant rushed there and when asked as to why they were using abusive language against her, co-accused Shambhu Chaudhary gave iron blow on his head. The informant succumbed to the injuries.

The learned counsel for the petitioners has submitted that as per the FIR itself co-accused Shambhu Chaudhary assaulted on the head of the deceased. There is no allegation against the petitioner of inflicting any kind of assault on the person of the deceased. As per paragraph no.3 of the bail petition, the petitioner has no criminal antecedents.

Considering the above facts and circumstances, let the petitioners above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Sare P.S. Case No. 71 of 2020, subject to the conditions as laid down under Section 438(2) Cr. P.C.



Office shall ensure that all defects are removed by the petitioners within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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