

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4750 of 2022

Arising Out of PS. Case No.-52 Year-2019 Thana- CHAKAND District- Gaya

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NANHKA CHAUDHARY @ NANKA CHAUDHARY @ BAHIRA Son of
Laten Shyamdeo Chaudhary Resident of Village- Batho Sharif, P.S.-
Chakand, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a

period of four weeks from today.

The petitioner seeks bail in connection with

Chakand P.S. Case No. 52 of 2019 registered for the offence

under Sections 341, 342, 307, 504 and 506 of the IPC and

Section 27 of the Arms Act.

The petitioner is named in the FIR and is in

custody since 11.08.2021.

The allegation against the petitioner is to caused

injury with fire arms to the informant with intention to cause

death.



Learned counsel appearing on behalf of the petitioner submitted that the nature of injury as found upon the informant is in contradiction with the allegation set out in the FIR, as injury is caused from hard and blunt object. It is further submitted that the petitioner is man of clean antecedent and charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

APP appearing on behalf of the State while opposing the prayer for bail fairly conceded the fact that the injury caused to the informant is from hard and blunt object.

Considering the facts and circumstances as mentioned above, as the injury found negate the injury caused by fire arms as alleged in FIR, let the petitioner, above named, is directed to be released on bail in connection with Chakand P.S. Case No. 52 of 2019 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 6th Gaya subject to the following conditions:

“(i) That petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on



medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be mother of the petitioner, namely, Domni Devi, who is the deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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