

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33212 of 2021

Arising Out of PS. Case No.-472 Year-2020 Thana- BHAGWAN BAZAR District- Saran

CHANDAN CHOUDHARY S/o Janardhan Choudhary @ Baharan
Choudhary R/o Mohalla- Shiv Bazar, P.S.- Bhagwan Bazar, District- Saran at
Chapra Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 22-02-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Bhagwan
Bazar P.S.Case No.472 of 2020 registered for the offence under
Sections 302/34 of the Indian Penal Code.

The prosecution case, in short, is that the accused
persons abusing the husband of the informant. When the
informant intervened, then co-accused, Priyanka Devi gave
knife to the petitioner Chandan Choudhary and caught hold the
hand of husband of the informant and told to her husband to kill
him. On this, the petitioner caused injury with knife to the
husband of the informant and then the accused persons fled
away. The informant and her family members started shouting
on which neighbours came and took the husband of the
informant to Hospital where the Doctor declared him dead.



Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that he has previously filed a complaint case bearing No.2759 of 2018 against the deceased Arvind Choudhary and others. In fact the petitioner is full brother of the deceased.

Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner and submits that the direct allegation of overt-act is against the petitioner and even mother of the petitioner who is also mother of the deceased has supported the prosecution version.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Bhagwan Bazar P.S.Case No.472 of 2020 pending in the court of learned Additional Chief Judicial Magistrate 1st, Saran at Chapra.

However, the learned Trial Court is directed to expedite the trial.

(Rajesh Kumar Verma, J)

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