

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32397 of 2022

Arising Out of PS. Case No.-298 Year-2021 Thana- NAWANAGAR District- Buxar

1. DHARMENDRA CHOUDHARY @ DHARMENDRA KUMAR S/o Shambhu Chaudhary Resident of Village- Gangati, P.O.- Koath, P.S.- Dawath, District- Rohtas.
2. Jitendra Kumar @ Mallu Chaudhary S/o Shambhu Chaudhary Resident of Village- Gangati, P.O.- Koath, P.S.- Dawath, District- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. P.K.Shahi, Sr.Adv.

Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Vinod Shanker Modi

Mr.Ravi Shankar Pathak

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-11-2022 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Section 302/120(B) of the Indian Penal Code.

As per the prosecution case, on 03.08.2021 at around 11 O'clock (night), seven accused persons including these petitioners took the informant's son and thereafter, dead-body of his son was found near the pond of Tej Narayan Yadav.

It is submitted on behalf of petitioners that after seeing the dead-body of his son, informant went to police station and gave oral information to police, but did not disclose the name of any accused persons and after cremation of dead-



body on 05.08.2021, the informant lodged F.I.R. It is further submitted that petitioners have been falsely implicated in this case due to political rivalry. Petitioner no. 1 is Chairman of Nagar Panchayat, Koath and petitioner no. 2 is his brother. Police after investigation submitted final form against these petitioners.

Learned counsel for the informant vehemently opposes the bail petition and submits that there is specific accusation against petitioners that they alongwith other co-accused persons killed the deceased. He further submits that petitioner no. 1 has got two criminal antecedent also.

In reply, learned senior counsel for the petitioners submits that though, petitioner no. 1 is accused in two more case, but in one case, he is on bail and another case has been filed after the present case.

Considering the aforesaid facts and circumstances as well as the fact that after investigation, police submitted final form against petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar in



connection with Nawanagar (Sonbarsa O.P.) P.S. Case No. 298
of 2021, subject to condition as laid down under Section 438(2)
of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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