

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51108 of 2021

Arising Out of PS. Case No.-276 Year-2021 Thana- KHAGARIA District- Khagaria

1. JITENDRA CHAUDHARY Son of Anil Chaudhary R/o Village- Charkhutti, Rahimpur, P.S.- Muffasil, District- Khagaria, at present residing at Mohalla- Jai Prakash Nagar, P.S.- Muffasil, District- Khagaria.
2. AMIT CHAUDHARY Son of Anil Chaudhary R/o Village- Charkhutti, Rahimpur, P.S.- Muffasil, District- Khagaria, at present residing at Mohalla- Jai Prakash Nagar, P.S.- Muffasil, District- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s :	Dr. Ajeet Kumar, APP
For the Informant :	Mr. Ranjeet Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-03-2022 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302, 307, 341 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the ten named accused persons including the two petitioners herein as also five others are said to have come variously armed. The two petitioners along with others fired in the air to create terror. Thereafter, it is stated that on the orders of Niranjana Chaudhary the accused persons caught hold of the husband of the informant and the accused Anil Choudhary ran over him by a tractor. The husband of the informant died on the spot.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. The



manner of occurrence is other than what has been narrated in the FIR. The allegations are general and omnibus in nature, the main allegation being against Anil Chaudhary. The petitioners are in custody since 9.6.2021 and pursuant to their being enlarged on provisional bail vide order dated 8.2.2022, as directed, they surrendered in the learned Court below on 21.2.2022. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR together with the petitioners having remained in custody for about 8 months and charge sheet having been submitted in the case, the Court directs the above two petitioners to be enlarged on bail in connection with Khagaria (Mufassil) P.S. Case no. 276 of 2021 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Khagaria.

(Partha Sarthy, J)

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