

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54012 of 2021

Arising Out of PS. Case No.-183 Year-2019 Thana- BHAGWAN BAZAR District- Saran

GUDDU KUMAR CHOUDHARY SON OF PRAHLAD CHAUDHARY R/O
VILLAGE- CHHOTA BRAHAMPUR, SATGHARWA, P.S.- BHAGWAN
BAZAR, DISTT.- SARAN AT CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kumari, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Bhagwan Bazar P.S. Case No. 183/2019 registered for the offences punishable under Sections 323, 452, 380, 376, 511, 384, 307, 504, 506/34 of the Indian Penal Code 1860 and Section 27 of the Arms Act.

As per the prosecution story the petitioner along with other accused persons, total nine in numbers, entered into the house of the informant and resorted to firing and, thereafter, the petitioner along with three other accused persons tried to commit rape upon the informant and tore the cloth worn by the



informant.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to village rivalry and he has not committed any offence in the manner alleged. He next submits that the allegation against the petitioner is general and omnibus in nature along with three other accused persons. There is delay in lodging the complaints inasmuch as according to the complaint lodged by the informant, occurrence took place on 28.3.2019, but the complaint has been lodged after an inordinate delay on 10.4.2019 which has been converted into the First Information Report. The petitioner is in custody since 3.6.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that both the parties are co-villagers, there is general and omnibus allegation against the petitioner, he is in custody since 3.6.2021, charge sheet has already been submitted and the complaint-cum-First Information Report has been lodged after an unexplained delay, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bonds of Rs.20,000/-
(Twenty thousand) with two sureties of the like amount each to
the satisfaction of learned Chief Judicial Magistrate, Saran at
Chapra in connection with Bhagwan Bazar P.S. Case No.
183/2019.

(Anil Kumar Sinha, J)

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