

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49302 of 2022

Arising Out of PS. Case No.-468 Year-2020 Thana- AURANGABAD TOWN District-
Aurangabad

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1. MANOJ CHOUDHARY S/o Bisun Choudhary R/o Mohalla- Tikari, P.S.-
Aurangabad, District- Aurangabad
 2. Bablu @ Bablu Kumar S/o Bisun Choudhary R/o Mohalla- Tikari, P.S.-
Aurangabad, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 23-12-2022 Heard Mr. Vishwa Ranjan Choudhary, learned
counsel for the petitioners and Mr. Pramod Kumar Pandey,
learned Additional Public Prosecutor appearing for the State
through video conferencing.

Petitioners seek regular bail in connection with
Aurangabad Nagar P.S. Case No. 468 of 2020 registered for the
offences punishable under Sections 147, 148, 149, 323, 341, 324
and 302 of the Indian Penal Code 1860.

As per the First Information Report, the son of the
informant, upon coming to know that two parties were fighting,
proceeded towards the place of occurrence and saw that the two
groups were fighting. He intervened in the matter to pacify



the fight, upon which, the petitioners along with other instigated the other accused persons. In the meanwhile, Tun Kahar, Arun Kahar and his nephew assaulted the son of the informant by means of knife, due to which, he sustained grievous injury and died in the Hospital during course of treatment.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to village politics. He next submits that there is no allegation of assault against the petitioners and only allegation against them is that they along with other instigated the group of persons fighting at the place of occurrence. He next submits that similarly situated co-accused persons, namely, Jitendra Sharma, Ravi Kumar and Mantu Choudhary have been granted bail by co-ordinate Benches of this Court in Cr. Misc. 38957 of 2021 and 35341 of 2021 respectively. The petitioners are in custody since 26.6.2022.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that the petitioners are not the assailant and similarly situated co-accused persons have been granted bail by co-ordinate Benches of this Court, the petitioners are in custody since 26.6.2022 and charge sheet has already been submitted, I



am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular 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 Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad Nagar P.S. Case No. 468 of 2020.

(Anil Kumar Sinha, J)

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