

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64813 of 2021

Arising Out of PS. Case No.-92 Year-2021 Thana- JANDAHA District- Vaishali

BIRCHANDRA CHAUDHARY S/O RAMDEO CHAUDHARY R/o village-
Dih Buchauli, P.S.- Jandaha, District- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.K.Lal
		Mr.Pritish Kumar Lal
For the Opposite Party/s :		Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-04-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in a case registered for the offence under Section 302 and 34 of the Indian Penal Code.

As per the prosecution case, on 01.05.2021 at 6:00 PM, the son of the informant had gone to consume toddy at the shop of co-accused Ajay Chaudhary, but till night, he did not return and on the next day, his dead-body was found behind the house of co-accused Ajay Chaudhary. The reason behind the occurrence is that co-accused Ajay Chaudhary took loan from the son of informant, which he was not returning, for which, an altercation took place between them and due to which, co-accused Ajay Chaudhary committed murder of his son.



It is submitted on behalf of petitioner that petitioner has been made accused only on suspicion. As per F.I.R. itself, the deceased had gone to consume toddy at the shop of co-accused Ajay Chaudhary and petitioner has neither any concern with co-accused Ajay Chaudhary nor he was present at his shop. In the F.I.R., it has been stated that co-accused had taken loan from the deceased, which he was not returning and on demand by the deceased, an altercation took place between them. Petitioner has got clean antecedent and he is in custody since 04.05.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 92 of 2021.

(Prabhat Kumar Singh, J)

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