

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24526 of 2021

Arising Out of PS. Case No.-299 Year-2019 Thana- NARDIGANJ District- Nawada

Rajesh Choudhary S/O Ramkhelawan Choudhary R/O Village- Pesh, P.S.-
Nardiganj, District- Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyanka Singh

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 14-02-2023 Heard learned counsel for the parties.

Learned counsel for the petitioner undertakes to
remove the defects, if any, within three weeks.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 341, 323,
307, 337, 379, 504/34 of the Indian Penal Code and later on
Section 302 of the IPC has been added.

Petitioner along with other accused persons came to
the house of the informant, abused her and instigated the
husband of the informant to come out from the house. Accused
persons entered into the house and assaulted the husband of the
informant as a result of which husband of the informant
received injury.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case due to land dispute. He submits that there is no specific overt act against the petitioner. There is general and omnibus allegation levelled against the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that the injured died during the course of treatment after one month of occurrence. He further submits that postmortem report has supported the prosecution case.

Considering the facts and circumstances of the case, I am not inclined to enlarged the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Nardiganj P.S. Case No. 299 of 2019.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

devendra/-

(Anjani Kumar Sharan, J)

U		T	
---	--	---	--

