

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36419 of 2023

Arising Out of PS. Case No.-760 Year-2022 Thana- BIHPUR District- Bhagalpur

MANOJ CHOUDHARY SON OF RAM SWARATH CHOUDHARY
RESIDENT OF VILLAGE- SONBARSHA, PS- BIHPUR, DISTT-
BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Bihpur P.S. Case No. 760 of 2022 dated 30.12.202 registered for the offences punishable u/ss 307, 302, 120B read with section 34 of the Indian Penal Code.

As per the prosecution case, the co-accused person is alleged to have assaulted the informant's husband with the butt of the rifle after abusing and the petitioner and the co-accused person took him to Sonbarsha Diayara thereafter, the husband of the informant died during the course of the treatment.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The specific allegation is of assaulting the informant's husband is against the co-accused Kanhaiya Chaudhary. The petitioner is made accused in this case only because he is the father of the co-accused Kanhaiya Chaudhary. The petitioner has got one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 31.12.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Naugachia, Bhagalpur in connection with Bihpur P.S. Case No. 760 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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