

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36982 of 2023

Arising Out of PS. Case No.-222 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

Lalan Chaudhary@Lalan Choudhary Son Of Late Ramji Choudhary @ Late
Ramji Chudhary Resident Of Village- Lakho, Ps- Muffasil (LAKHO Op),
Distt- Begusarai, Presently Residing At Villae- Bishanpur (BISHNUPUR) Ps
Town, Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-06-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Town

P.S. Case No. 222 of 2023, registered for the offences

punishable under Sections 341, 342, 448, 323, 307 and 34

of the Indian Penal Code.

The prosecution case as emerging from the FIR is

that on 01.04.2023 at about 06:00 P.M. the informant and

his brother-in-law went to open his shop. It is further alleged

that the petitioner and his associates armed with lathi and

iron rod came there and started assaulting informant and his

brother-in-law due to which they suffered grievous injuries.



Later, when one Piyush Singh came there to save, accused persons also assaulted him due to which he also sustained grievous injuries.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the alleged injury is simple in nature. He also submits that no case is made out under Section 307.

He further submits that the petitioner has been languishing in jail since 02.04.2023.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in



the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. concerned Trial Court in connection with Town P.S. Case No. 222 of 2023, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of



the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

ashishkr/-

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

