

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42066 of 2022

Arising Out of PS. Case No.-10 Year-2022 Thana- DELHA District- Gaya

RUSI CHAUDHARY @ FANTUSH CHOUDHARY Son of Basant Choudhary Resident of Village - Chana, P.s.- Chandauti, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 42109 of 2022

Arising Out of PS. Case No.-10 Year-2022 Thana- DELHA District- Gaya

1. SADHU CHAUDHARY @ PRAMOD CHAUDHARY Son of Basant Choudhary Resident of Village - Chana, P.s.- Chndauti, Distt.- Gaya.
2. Mukesh Choudhary @ Pramod Choudhary Son of Kamdeo Chaudhary Resident of Village - Chana, P.s.- Chndauti, Distt.- Gaya.
3. Feku Chaudhary @ Iashwari Son of Gopal Choudhary Resident of Village - Chana, P.s.- Chndauti, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 43877 of 2022

Arising Out of PS. Case No.-10 Year-2022 Thana- DELHA District- Gaya

Bablu Chaudhary Son Of Manoj Choudhary Resident Of Village- Channa, P.S.- Chandauti, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 42066 of 2022)

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

For the Opposite Party/s : Mr. Rajiv Nayan, APP

(In CRIMINAL MISCELLANEOUS No. 42109 of 2022)

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

For the Opposite Party/s : Mr. Rajeev Nayan , APP-231



(In CRIMINAL MISCELLANEOUS No. 43877 of 2022)

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-01-2023 Heard learned counsel for the petitioners, learned
APP for the State and perused the case diary.

The petitioners are in custody in a case registered for the offence punishable under Sections 364, 302 and 120(b) of the Indian Penal Code.

The allegation has been made in the FIR that the informant who is brother of the deceased Gariban Chaudhary, has raised strong suspicion and made accused 15 named persons in this case alleging therein that accused persons have assaulted the informant and his family and subsequently he went out towards police station for lodging FIR on 16.01.2022, but the co-villager has informed that the dead body of Gariban Chaudhary was found upon which the informant reached there and saw that the deceased has sustained a gun shot injury on the head and chest and it has been alleged that all the 15 persons have kidnapped the deceased and then fired on his head and chest and thereafter thrown his dead body.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. He further submits that they have been implicated in this case only because



they are family members of the accused persons. Similarly situated co-accused persons have been granted regular bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 35286 of 2022 and Cr. Misc. No. 37437 of 2022. Petitioners of above Cr. Misc. cases are in judicial custody since 31.03.2022, 01.06.2022 and 19.01.2022 respectively.

Learned APP appearing for the State has opposed the prayer for regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Swati Singh, Judicial Magistrate, Ist Class, Gaya/concerned Court in connection with Delha P.S. Case No. 10 of 2022.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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