

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64854 of 2023

Arising Out of PS. Case No.-157 Year-2023 Thana- NATHNAGAR District- Bhagalpur

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1. Dilip Choudhary Son Of Late Kailash Choudhary Village Pasitola Nathnagar Ps M. Lalmatiya District Bhagalpur
 2. Govind @ Govind Kumar @ Govind Choudhary Son Of Late Kailash Choudhary Village Pasitola Nathnagar Ps M. Lalmatiya District Bhagalpur
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-10-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks.

2. Heard learned counsel for the petitioners and learned A.P.P for the State.

3. The petitioners have preferred this application for grant of regular bail in sessions Trial No. 543 of 2023 arising out of Nathnagar (Lalmatiya) P.S. Case No. 157 of 2023 dated 27.02.2023 registered for the offences punishable u/s 302 read with section 34 of the Indian Penal Code and section 27 of the Arms Act.

4. As per the prosecution case, upon exhortation to kill by the petitioners, the co-accused Raj Kumar Chaudhary fired on the informant's husband due to that he died.



5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The specific allegation of firing is against the co-accused Raj Kumar Chaudhary. The petitioners are only the order giver. The petitioners are also accused in one more criminal case as stated in para 3 of the bail petition. The petitioner no. 1 and 2 are in custody since 09.05.2023 and 03.03.2023 respectively.

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

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in sessions Trial No. 543 of 2023 arising out of Nathnagar (Lalmatiya) P.S. Case No. 157 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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