

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63301 of 2022

Arising Out of PS. Case No.-524 Year-2022 Thana- MAKHDUMPUR District- Jehanabad

1. RAKESH CHAUDHARY
2. Praveen Chaudhary
Both sons of Ram Barat Chaudhary, R/o Village- Banday, P.S.-
Makhdumpur, Distt- Jehanabad Petitioner/s
- Versus
- The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo,Advocate
For the Opposite Party/s : Mr.Awadhesh Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-03-2023 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners seek bail in a case registered for the
offence under Sections 341,323,307,379,504,506,34 of the
Indian Penal Code.

Allegation against petitioner Rakesh Chaudhary is
that he assaulted to the informant by means of iron rod as a
result of which he became unconscious and allegation against
petitioner Pravin Chaudhary is that he assaulted to informant's
son by means of iron rod with intention to kill as a result of
which he sustained injury on his head.

Learned counsel appearing for the petitioners submits
that petitioners have clean antecedent. They have falsely been
implicated in the present case. He further submits that as per
allegation as alleged in the FIR that petitioner Rakesh



Chaudhary assaulted the informant by means of iron rod and petitioner Pravin Chaudhary assaulted the informant's son by means of iron rod with intention to kill. Further submits that the injury report of the son of the informant suggests that the injury is simple in nature caused by hard and blunt object. Further submits that the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt object but the informant referred to the Jehanabad for further investigation. During further investigation, the injury report of the informant suggests that one injury is grievous in nature caused by hard and blunt object. Further submits that the present occurrence took place at the spur of moment and there was no intention of the petitioners to kill the informant and his family members and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 10.08.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, 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 the



learned court below where the case is pending in connection with Makhdumpur P.S.Case No. 524 of 2022 with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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