

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62429 of 2022

Arising Out of PS. Case No.-167 Year-2021 Thana- DAUDNAGAR District- Aurangabad

1. SUMANT CHAUDHARY Son of Rambilash Chaudhary R/O Village - Mewa Bigha, P.S.- Daudnagar, District - Aurangabad.
2. Bijendra Chaudhary Son of Rambilash Chaudhary R/O Village - Mewa Bigha, P.S.- Daudnagar, District - Aurangabad.
3. Jagdish Chaudhary Son of Gunni Chaudhary R/O Village - Mewa Bigha, P.S.- Daudnagar, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh
For the Opposite Party/s : Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 24-03-2023 Heard the learned counsel for the petitioners as well as Mr. Shailendra Kumar, the learned Additional Public Prosecutor for the State.

The petitioners are seeking regular bail in connection with Daudnagar P.S. Case No. 167 of 2021 registered for offence punishable under sections 147, 149, 342, 323, 307, 504, 324 and 302 of the Indian Penal Code.

As per allegation, ten accused persons came to the house of the informant equipped with iron rod, *Garasa* and *Bhala* and they started assaulting her son. When the informant and her husband came to rescue their son, the accused persons



badly assaulted the husband of the informant on his head. He died during the course of treatment.

The learned counsel for the petitioners has submitted that the allegation is general and omnibus and the entire family members of the petitioner have been implicated in this case. He has submitted further that there is no specific allegation that from which weapons the accused persons assaulted the husband of the deceased. He has also submitted that the other accused persons, whose cases are on similar footing, have been granted bail by the coordinate Benches of this Court.

On the other hand, Mr. Shailendra Kumar, the learned APP has opposed the prayer for bail and submitted that the injury on the head of the deceased was caused by hard and blunt substance, though both those injuries were simple in nature.

Considering the above-mentioned facts and circumstances, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Daudnagar P.S. Case No. 167 of 2021, subject to the following conditions:-

- (i) The petitioners shall cooperate in the disposal



of trial and make themselves available as and when required by the court.

(ii) If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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