

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68762 of 2023

Arising Out of PS. Case No.-279 Year-2023 Thana- NAWANAGAR District- Buxar

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1. Toofani Choudhary Son Of Late Kesha Choudhary @ Late Kesho Choudhary R/O Vill-Kesath Ps-Nawanagar Dist-Buxar
 2. Suresh Choudhary Son Of Late Kesha Choudhary @ Late Kesho Choudhary R/O Vill-Kesath Ps-Nawanagar Dist-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-11-2023

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Nawanagar P.S. Case no.279 of 2023 registered under sections 307, 147, 148, 149, 341, 323, 324 and 504 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the accused persons including the two petitioners herein came variously armed with *lathi*, spear, *farsa*, rod etc., abused the informant and the members of his family and assaulted Gopal Choudhary as also the informant causing serious injuries.



4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. There is case and counter case between the parties. The manner of occurrence is other than what has been narrated in the F.I.R. So far as the injuries of Gopal Choudhary on the temporal-pareital area is concerned, the same have been found to be simple in nature. The other injuries are on the non-vital part of the body. The petitioners are in custody since 18.7.2023 and charge-sheet has been submitted in the case. They have no criminal antecedent.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R, there being case and counter case between the parties, the contents of the injury report of Gopal Choudhary as has been reproduced in the order of the learned trial Court rejecting the application for bail of the petitioners, their being in custody since 18.7.2023 and charge-sheet having been submitted in the case, both the petitioners are directed to be enlarged on bail in connection with Nawanagar P.S. Case no.279 of 2023 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to



the satisfaction of the learned Chief Judicial Magistrate,
Buxar.

(Partha Sarthy, J)

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