

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73182 of 2022

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

1. MADHU CHAUDHARY S/o Japati Chaudhary R/o Village- Mewa Bigha, P.S.- Daudnagar, Distt- Aurangabad.
2. Bineshwar Chaudhary S/o Japati Chaudhary R/o Village- Mewa Bigha, P.S.- Daudnagar, Distt- Aurangabad.
3. Bijendra Chaudhary @ Bhanu @ Vijendra Chaudhary S/o Japati Chaudhary R/o Village- Mewa Bigha, P.S.- Daudnagar, Distt- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shantam Shivam, Suraj Narayan Yadav
	:	Ms. Sweta Kumari, Mr. Masoom Alam
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek regular bail in connection with Daudnagar P.S. Case No. 167 of 2021 registered for the offence under Sections 147, 149, 342, 323, 307, 504, 324 of the Indian Penal Code and later on added section 302 of IPC.

As per prosecution case, on 29.3.2021 the FIR named accused persons including the petitioner herein having lathi, iron rod, garasa in their hands, were abusing and assaulting the informant's son namely Bijendra Kumar. The informant and her husband tried to intervene, following which accused persons



with intention to kill them inflicted garasa as a result of which informant's husband sustained injuries. Later on, the informant's husband was died during course of treatment.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. From perusal of FIR, there is no specific overt-act against the petitioners rather general and omnibus allegation leveled against them. They have got no criminal antecedent. Moreover, similarly situated co-accused namely, Gautam Chaudhari has already been granted bail by a co-ordinate Bench of this Court vide order dated 7.4.2022 passed in Cr. Misc. No. 7.4.2022, in support of this, Annexure-3 has been annexed with this petition. It is further submitted that the petitioners are languishing in judicial custody since 28.8.2022.

Learned APP appearing for the state has opposed the prayer of 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 in connection with Daudnagar P.S. Case No. 167 of 2021 on furnishing bail bond of



Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar in Aurangabad.

(Sunil Kumar Panwar, J)

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