

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73442 of 2022

Arising Out of PS. Case No.-143 Year-2021 Thana- BARUN District- Aurangabad

CHANDAN KUMAR CHAUDHARY @ NAGA @ GUDDU KUMAR Son
of Raju Chaudhary Resident of Village - Hetampur, P.S.- Barun, District -
Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Leelawati Kumari

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 147, 148,
149, 341, 323, 307, 379, 354, 448, 324, 504 of the Indian Penal
Code and later on added Section 302 of IPC.

As per prosecution case, on 9.6.2021 around 6:30 PM
the informant was returning from work to his house, in the
meantime, petitioner along with other accused persons started
assaulting him causing head injury and he fell down. It is further
alleged that again 9:30 PM, accused persons also assaulted him
and his family members, during treatment, Jitan Prasad Khatri
died.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The specific allegation of assault to deceased Jitan Kumar Khatri by means of *Farsa* is against co-accused Deepak Kumar, whereas, the allegation has been made against this petitioner of assaulting to injured Kaushal Kumar Khatri by means of iron rod. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, co-accused Amres Kumar @Boby has already been granted Bail by a co-ordinate Bench of this Court vide order dated 20.6.2022 passed in Cr. Misc. No. 4206 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 25.2.2022.

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 as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barun P.S. Case No.143 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, Aurangabad (Bihar).

(Sunil Kumar Panwar, J)

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