

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9720 of 2024

Arising Out of PS. Case No.-53 Year-2021 Thana- WARISNAGAR District- Samastipur

1. SURAJ CHOUDHARY @ SURAJ KUMAR S/O RAM LAL CHOUDHARY R/O VILLAGE- BHADOGHAT, BASANTPUR RAMNI, P.S- WARISNAGAR, DISTT.- SAMASTIPUR.
2. SUMAN CHOUDHARY @ SUMAN KUMAR S/O RAM LAL CHOUDHARY R/O VILLAGE- BHADOGHAT, BASANTPUR RAMNI, P.S- WARISNAGAR, DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 15-07-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 447, 341, 323, 307, 354, 379, 385, 504, 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, all the FIR named accused persons including these petitioners abused and demanded extortion of Rs. 10,000/- from the informant and on refusal these accused persons assaulted husband of the informant with lathi, danda due to which he became unconscious and died during treatment.

4. Learned counsel appearing for the petitioners



submits that the petitioners are innocent and have falsely been implicated in this case. Parties are next door neighbours and due to petty dispute quarrel took place between them. Allegation of assault is general and omnibus and no specific overt act has been alleged against these petitioners. Petitioners claim clean antecedent.

5. Learned counsel for the State opposes the prayer for bail. He submits that these petitioners and other accused persons assaulted the husband of the informant causing his death.

6. Considering the nature and gravity of allegation, prayer for bail of the petitioners is rejected.

(Prabhat Kumar Singh, J)

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