

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7277 of 2024

Arising Out of PS. Case No.-449 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

1. Ashok Choudhary @ Ashok Kumar, male about 30 years, Son of Dharmeshwar Choudhary Resident Of Village- Bandipur, PS- Ramgarh, Dist- Kaimur (BHABUA)
2. Ajay Chaudhary @ Ajay Kumar Nishad, male, aged about 22 years, Son of Mohan Chaudhary Resident of Village- Bandipur, PS- Ramgarh, Dist- Kaimur (BHABUA)
3. Birju Chaudhary @ Biraju Kumar Chaudhari, male, aged about 24 years, Son of Rudal Chaudhary Resident Of Village- Bandipur, PS- Ramgarh, Dist- Kaimur (BHABUA)
4. Krishna Choudhary @ Krishna Kumar, male, aged about 21 years, Son of Bali Chaudhary Resident of Village- Bandipur, PS- Ramgarh, Dist- Kaimur (BHABUA)
5. Rajiv Choudhary, male, aged about 22 years, Son of Bala Choudhary Resident of Village- Bandipur, PS- Ramgarh, Dist- Kaimur (BHABUA)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Singh, Advocate
For the Opposite Party/s : Mr. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners are in custody in connection with Ramgarh P.S. Case No. 449 of 2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 354, 379, 504 and 506 of the Indian Penal Code.

3. As per the allegation in the F.I.R., the



petitioners along with other co-accused persons having common intention attacked the informant, his nephew and his family members to kill them and tried to outrage the modesty of the ladies of informant side.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. It is next submitted that there is a case and counter case between the parties, which arises in Ramgarh P.S. Case No. 450 of 2023 in which opposite parties have already been granted bail by the Co-ordinate Bench of this Court vide order dated 17.02.2024 passed in Cr. Misc. No. 7114 of 2024. It is further submitted that both parties belongs to the same family and have to live together, for this reason, both parties made compromise on 25.11.2023 and they are living a peaceful life. As statement has been made in para 3 of the petition that petitioners have no criminal antecedent. It is also submitted that the petitioners are in judicial custody since 13.11.2023.

5. However, learned A.P.P. for the State oppose the prayer for regular bail of the petitioners.

6. On perusal of the F.I.R., impugned order and



period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioners, let the above named petitioners be released on bail, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Mohania (Kaimur) in connection with Ramgarh P.S. Case No. 449 of 2023.

(Ramesh Chand Malviya, J)

Nilmani/-

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