

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31683 of 2024

Arising Out of PS. Case No.-128 Year-2023 Thana- BALIYA District- Begusarai

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Bambam Choudhary @ Bambam Chaudhary Son Of Late Ramudgar Choudhary @ Late Ramudgar Chaudhary @ Ramudgar Choudhary Village- Paharpur (Khurd Paharpur), Ward No. 01, P.S.- Ballia (Baliya), Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr.Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 06-05-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ballia (Baliya) P.S. Case No. 128 of 2023, Session Trial No. 1064 of 2023 dated 17.05.2023 registered for the offences punishable u/ss 341, 323, 324, 504, 302 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have stopped the informant's son and abused and assaulted him. The co-accused, Bambam Tanti stabbed on the informant's son due to which he sustained injury. Thereafter, the accused persons fled away from the place



of occurrence. The informant's son was taken to the hospital and during the course of treatment, the informant's son died.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation against the petitioner rather the specific allegation of inflicting knife blow is against the co-accused, Bambam Tanti. It is further submitted that the petitioner has no concern with the alleged offence. Chargesheet has been submitted in this case as stated in para 11 of the bail petition. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.05.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Ballia (Baliya) P.S. Case No. 128 of 2023 with the condition/s:-

(i) The petitioner is directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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