

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44412 of 2024

Arising Out of PS. Case No.-628 Year-2021 Thana- BHAGWAN BAZAR District- Saran

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Anmol Chaudhary @ Lala @ Lola, Son of Late Ajay Chaudhary @ Munna Chaudhary, R/O Vill.- Daulatganj, Kali Mandir, near Sinha Lodge, P.S.- Bhagwan Bazar, Dist.- Saran At Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

8 04-10-2024 Heard Learned Counsel for the petitioner and Learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Bhagwan Bazar P.S. Case No. 628 of 2021 lodged on 28.12.2021 under Section 302/34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been lodged against four named accused persons including the present petitioner against whom there is an allegation that they have snatched the bag from the informant's son when his son was going to leave his sister along with his friend and mother. On protest being made, the accused persons stabbed the son of the informant on his chest, backside etc. with a knife due to which, he got badly injured, thereafter, the son of the informant



was taken to the PMCH, but in course of treatment, he died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the FIR has been lodged with a delay of five days. From a bare reading of the FIR, it becomes crystal clear that the informant is not an eyewitness to the occurrence. Learned Counsel further submits that the case diary has been called for and in the case diary, there is no material against the petitioner. He further submits that the petitioner is in custody since 23.01.2022 and two more criminal cases are pending against him, but in both cases, he has been granted bail.

4. Learned counsel for the State opposes the prayer for bail and submits that there is a specific allegation against the petitioner and this occurrence has been caused by him in the presence of many witnesses. Counsel further submits that case diary as well as post-mortem report has been called for.

5. In view of this Court the post-mortem report suggests multiple stab (12-Twelve) injuries in the chest and back of the chest and one right side chest and the same is corroborated by the allegation made in the FIR. The cause of death also corroborates the allegation. As such, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer



for bail of the petitioner in connection with Bhagwan Bazar P.S.
Case No. 628 of 2021, pending before the ADJ-5, Saran at
Chapra is hereby rejected.

(Dr. Anshuman, J)

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