

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45800 of 2024

Arising Out of PS. Case No.-416 Year-2016 Thana- BIRAUL District- Darbhanga

Mantun Chaudhary @ Phuskar Chaudhary @ Puskar Chaudhary @ Mantun
Choudhary Son of Anand Chaudhary @ Late Fanad Chaudhary @ Late Fanan
Choudhary R/O Vill.- Pokhram, P.S.- Biraul, Dist.-Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sameer Ranjan

For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2024 Heard the parties.

2. The petitioner seeks bail in connection with Biraul P.S. Case No.416 of 2016, registered for the offence punishable under Sections 147, 148, 341, 323, 448, 380, 307, 427, 504, 506 and 302 of the Indian Penal Code.

3. The allegation against the petitioner is that he along with other co-accused persons entered the house of the informant and brutally assaulted the informant's side due to which one of the brother of informant namely, Daho Giri died. It is also alleged that all the accused persons damaged the house of the informant's brothers.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submitted that the anticipatory bail of the petitioner was rejected by a co-ordinate Bench of this court vide order dated 20.07.2017 passed in Cr. Misc. No.18129 of 2017 and some of the similarly situated co-accused persons have already been granted bail vide order dated 25.04.2018 and 14.12.2020 passed in Cr. Misc. No.17526 of 2018 and Cr. Misc. No.27843 of 2020, respectively. Petitioner is in judicial custody since 18.03.2024 and has four criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as considering that the bail application of the petitioner was rejected in the year 2017 itself but has surrendered in the year 2024, I am not inclined to enlarge the petitioner on bail. The prayer for grant of bail on his behalf is hereby rejected.

(Anjani Kumar Sharan, J)

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