

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 47806 of 2024

Arising Out of PS. Case No.-97 Year-2023 Thana- PARASI District- Jehanabad

Upendra Chaudhary @ Butan Chaudhary Son of Premchandra Chaudhary @
Premchand Chaudhary Resident of village - Chakiya, P.S.- Parasi, District -
Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Parasi P.S. Case No. 97
of 2023, instituted for the offences punishable under Sections
341, 323, 307, 379/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, petitioner
along with other co-accused persons armed with iron rod
assaulted the husband of the informant on his head due to which
the husband of the informant sustained injury and co-accused
Ranjit Mistry snatched golden chain of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the allegation against the petitioner is that the petitioner has assaulted on the forehead of the informant's husband but no such injury was found. The petitioner has been implicated in this case as being the friend of the co-accused Ranjit Mistry. The husband of the informant sustained injury in his palm which is grievous in nature. The petitioner is in custody since 05.12.2023 and has got one criminal antecedent in which the petitioner is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 09.05.2024 passed in Cr. Misc. No. 35058 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Parasi P.S. Case No.
97 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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