

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50568 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- NIMCHAKBATHANI District- Gaya

1. Sudhir Chaudhary Son of Prabhu Chaudhary @ Murakh Chaudhary R/O Vill.- Mai, P.s.- Neemchak Bathani, Dist.- Gaya, Bihar
2. Prabhu Chaudhary @ Murakh Chaudhary Son of Late Kali Chaudhary R/O Vill.- Mai, P.s.- Neemchak Bathani, Dist.- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-08-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Neemchak Bathani P.S. Case No. 80 of 2024 dated 19.04.2024 registered for the offences punishable u/s 323, 379, 307, 504, 506/ 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have assaulted the informant and his family members with lathi-danda and iron-rod and they took money and gold ornaments from their possession.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. There is no specific allegation against the petitioner. From bare perusal of the injury report, the informant and the *Angad Kumar* have sustained no injury and one *Sandeep Kumar* has sustained only one injury which is simple in nature. Nothing has been recovered from the conscious possession of the petitioners. The petitioner no. 1 has five criminal antecedents and the petitioner no. 2 has six criminal antecedents as stated in para 3 of the bail petition. The petitioners are in custody since 24.04.2024.

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 nature of allegation levelled against the petitioner and the period of custody, the petitioners 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, Gaya in connection with Neemchak Bathani P.S. Case No. 80 of 2024, with a condition/s:-

(i). The petitioners are 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 bail bond of the petitioners is liable to cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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