

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64461 of 2024

Arising Out of PS. Case No.-300 Year-2024 Thana- NAUBATPUR District- Patna

Akash Chaudhary @ Akash Kumar Son of Mahabir Chaudhary Village-
Sorampur Ps-Naubatpur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-10-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 341, 342, 323, 307, 302, 379, 427 and 504 of the Indian
Penal Code.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a young boy
aged about 26 years and the informant alleges that his son,
(deceased) on 29-5-2024 at 10 PM was returning home from
office by his car, further at 11 PM his son met Sachin, who also
boarded the car, but they did not reach home, further on 30-5-
2024 at 4 AM, Pappu called and informed that Sudhir (deceased,
son of the informant) and Sachin have been brutally assaulted



by villagers on suspicion of being thieves, accordingly the informant reached the police station and took both the injured for treatment to hospital, from where Sudhir was referred to P.M.C.H, where he died during the course of treatment. It is next alleged that Sachin disclosed that on 30-5-2024 at 12.20 am, they stopped at the shop of Laldeo Pandit for purchasing shikhar, the son of Laldeo Pandit, namely Mukesh, said first to pay, then only he will give shikhar, further after receiving money, Mukesh said that he does not have shikhar, on which an altercation took place, thereafter Mukesh and his mother, Ramuna, started raising alarm of thief, on which nine named accused persons, including the petitioner, along with ten unknown accused gathered variously armed and stopped the car and brutally assaulted by lathi, danda, iron rod, bricks etc. and also damaged the vehicle, thereafter, Santosh pulled Sachin and Mukesh pulled Sudhir out of the car and assaulted brutally causing injury on head and body and took them near Panchayat Bhavan, where husband of Mukhia, Pappu Singh came, but he also did not intervene to save them, hence alleges on account of assault his son died.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the



informant. It is next submitted that there is no specific allegation of assault alleged against the petitioner. It is submitted that specific allegation of pulling out Sudhir and Sachin out of the car is against Mukesh and Santosh, who are alleged to have assaulted them brutally. It is next submitted that when an alarm was raised that thieves have come, the petitioner being resident of the same village also came to the place of occurrence and thus came to be implicated. It is also submitted that Sachin also did not disclose that the petitioner assaulted him or the deceased. It is next submitted that the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Naubatpur P.S.



Case No. 300 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner after recording reasons.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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