

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71564 of 2024

Arising Out of PS. Case No.-643 Year-2021 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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1. Dholan Chaudhary S/o Jhapti Chaudhary R/o Village- Rohiyama, P.S.- Beldaur, District- Khagaria
 2. Bablu Chaudhary S/o Dholan Chaudhary R/o Village- Rohiyama, P.S.- Beldaur, District- Khagaria
 3. Biran Chaudhary S/o Dholan Chaudhary R/o Village- Rohiyama, P.S.- Beldaur, District- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sulekha Devi Wife of Late Kishundeo Chaudhary Resident of Village and Post- Rohiyana, P.S.- Beldaur, District- Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Priyanshu Ranjan, Advocate
For the Opposite Party/s	:	Mr. Choubey Jawahar, APP
For the Informant	:	Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 06-12-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend arrest in connection with Complaint Case No. 643 of 2021, registered under Sections 452, 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the compliant case has been lodged in which allegation has been made by the complainant that her husband was killed by the accused persons.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Learned counsel for the petitioners also submits that general and omnibus allegation has been made against these petitioners. No specific allegation has been levelled against these petitioners. There is no independent eye witness of the alleged occurrence. Petitioner no. 1 has got nine criminal antecedents in which he has been acquitted by the Court below in seven cases and is on bail in one case. Petitioner Nos. 2 and 3 have got no criminal antecedent. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 22.12.2023 passed in Cr. Misc. No. 81054 of 2023.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Complaint Case No.
643 of 2021, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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