

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73335 of 2023

Arising Out of PS. Case No.-164 Year-2023 Thana- ASHTHAWAN District- Nalanda

1. Bharat Choudhary @ Bharat Kumar Son Of Raghunath Choudhary Resident Of Village- Jiar, P.S.- Asthawan, District- Nalanda
2. Shatrughan Choudhary @ Shatrudhan Choudhary Son Of Raghunath Choudhary Resident Of Village- Jiar, P.S.- Asthawan, District- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s	:	Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 08-02-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners seek regular bail in connection with Asthawan P.S. Case No. 164 of 2023 for the offences registered under Sections 147, 148, 149, 341, 302, 342, 120(B) of the Indian Penal Code.

3. As per the prosecution case, husband of the informant was murdered by the F.I.R. named accused persons and 4-5 unknown persons when he was going to his field with his father and cousin brother.

4. Learned counsel for the petitioners submits that petitioners are innocent and have not committed any offence.



Their name had not been mentioned as accused in the F.I.R., however during course of investigation their name had been surfaced. The allegation against the petitioners is that at the time of murder of the victim they had caught hold the deceased and other co-accused Rajiv Choudhary @ Buddha Choudhary cut his neck with *Hasuli*. Petitioners have no criminal antecedent. They are in custody since 25.07.2023. Charge-sheet has already been submitted. There is no chance of tampering with the evidence or absconding of the petitioners.

5. Learned counsel appearing on behalf of the State assisted with learned counsel for the informant vehemently oppose the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioners, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Asthawan P.S. Case No. 164 of 2023, subject to following conditions:-

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the Court



concerned.

(II) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on failure on two consecutive dates without sufficient reason, the trial Court may cancel the bail of the petitioners.

(Sunil Dutta Mishra, J)

rakhi/-

U		T	
---	--	---	--

