

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82951 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- BUNIYAD GANJ District- Gaya

1. Rajesh Kumar Chaudhary @ Raj Chaudhary Son of Ram Lakhan Chaudhary
R/o vill - Head Manpur, P.S - Buniyadganj, Distt. - Gaya
2. Kamlesh Chaudhary @ Pintu Chaudhary Son of Ram Lakhan Chaudhary
R/o vill - Head Manpur, P.S - Buniyadganj, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners seek regular bail in connection with
Buniyadganj P.S. Case No.81 of 2023 registered under Sections
147, 149, 448, 341, 342, 323, 325, 307, 506, 379 and added
Section 302 of the I.P.C.

3. As per prosecution case, it is alleged that the F.I.R.
named accused persons including the petitioners entered the
house of the informant in inebriated condition and brutally
assaulted the informant and other family members with various
arms and looted ornaments, cash and valuable articles. It is
further alleged that on account of assault, Md. Naim Khan died



during course of treatment.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. There is no specific allegation against the petitioners. The F.I.R. has been lodged after two days of the alleged occurrence without any explanation. Petitioners have one criminal antecedent in which final form has already been submitted. Nothing has been recovered from the place of occurrence or from physical possession of the petitioners. Other similarly situated co-accused persons, namely, Shankar Chaudhary, Mukesh Kumar @ Mukesh Chaudhary, Ganesh Chaudhary and Vilendra Chaudhary @ Birendra @ Bhushan Chaudhary have been granted bail by a coordinate bench of this Court vide orders dated 25.08.2023 and 01.09.2023 passed in Cr.Misc.No.53717 of 2023 and Cr.Misc.No.57571 of 2023 respectively. Petitioners are in custody since 15.09.2023.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case as well as the submissions advanced on behalf of the parties, let the above named petitioners be released on 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
Additional Chief Judicial Magistrate VIII, Gaya in connection
with Buniyadganj P.S. Case No.81 of 2023.

(Sunil Dutta Mishra, J)

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