

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80780 of 2024

Arising Out of PS. Case No.-158 Year-2024 Thana- CHAUTHAM District- Khagaria

1. Mahesh Chaudhary S/O Late Surendra Chaudhary Resident of Village - Pipra, P.S- Chautham, District- Khagaria
2. Tuntun Chaudhary @ Pankaj Chaudhary S/O Late Surendra Chaudhary Resident of Village - Pipra, P.S- Chautham, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rahul Singh, Adv.
For the Opposite Party/s	:	Mr. Pramod Kumar Pandey, APP
For the Informant/s	:	Mr. Jai Kishor Poddar, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioners, learned A.P.P for the State and the learned counsel for the informant.

2. The petitioners have preferred this application for grant of regular bail in connection with Chautham P.S. Case No. 158 of 2024 dated 31.05.2024 registered for the offence/s punishable u/ss 147, 148, 149, 341, 323, 325, 307, 379, 447, 427, 504, 506 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have come to the house of the informant's brother and started abusing. When the informant protested, all the accused persons started assaulting the informant with Lathi and Danda. It is further alleged that the



petitioner no.1, Mahesh Chaudhari assaulted the informant with Lathi on his head and the co-accused, Dinesh Chaudhari assaulted on his chest with brick due to that four bones of the informant broke. On halla, the informant's brother-in-law came to rescue he was also assaulted on his head by the petitioner no.2, Tuntun Choudhary. They also looted household articles and golden chain.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case due to land dispute. There is case and counter case between the parties. Nothing has been recovered from the conscious possession of the petitioners. The petitioners has no concern with the alleged offence. The petitioners have two criminal antecedents in which he is on bail in both the cases as stated in para 3 of the bail petition. The petitioners are in custody since 29.08.2024. The co-accused, Dinesh Choudhary has been granted regular bail by this Court vide order dated 23.09.2024 passed in Cr. Misc. No. 62887 of 2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioners and submitted that the specific allegation of assault is against the petitioners and the injury sustained by the injured is



grievous in nature.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner 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, Khagaria in connection with Chautham P.S. Case No. 158 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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