

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81437 of 2023

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

Vijay Chaudhary Son Of Garbhu Chaudhary Resident Of Village- Jiyar, P.S.-
Asthawan, District- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed. Rizwanul Haque

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 302, 342, 120B of the Indian Penal Code.

3. As per prosecution case, husband of the informant was murdered by the accused persons including this petitioner when he was going to his field with his father and cousin brother.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The specific allegation of commission of murder of the informant's husband by cutting his neck and leg by means of *Hasuli* is against co-accused Kailash



Chaudhary and Rajeev Chaudhary not against the petitioner. Only allegation against this petitioner is that he caught hold the deceased. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused persons have already been granted bail by another co-ordinate Benches of this Court vide order dt. 20.02.2024 and 08.02.2024 in Cr. Misc. Nos. 9031 of 2024 and 73335 of 2023. Moreover, the petitioner is languishing in judicial custody since 17.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Asthawan P.S. Case No. 164 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Biharsharif at Nalanda.

(Sunil Kumar Panwar, J)

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