

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83669 of 2024

Arising Out of PS. Case No.-269 Year-2024 Thana- BAIRIYA District- West Champaran

1. Dilip Chaudhary Son of Late Kirani Chaudhary R/o Village -Tumkariya, P.S.- Bairiya, Distt. -West Champaran
2. Rajan Kumar @ Rajan Chaudhary Son of Dilip Chaudhary R/o Village -Tumkariya, P.S.- Bairiya, Distt. -West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vinay Ranjan, Advocate
For the Opposite Party/s	:	Mr. Ashok Kumar Singh, APP
For the Informant	:	Mr. Sharad Kumar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 10-12-2024 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

2. The petitioners seek bail in Bairiya P.S. Case No. 269 of 2024, instituted for the offences punishable under Sections 126, 118, 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, the petitioners caught the husband of the informant and co-accused Sandeep Chaudhury stabbed knife in his abdomen with an intention to kill him due to which he sustained injury.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No



incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that no specific allegation of assault has been attributed against these petitioners. Specific allegation of assault is against co-accused Sandeep Chaudhury. It is further submitted that as per medical report, husband of the informant has sustained injury which is simple in nature. The petitioners are in custody since 16.08.2024 and have got no criminal antecedent.

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 of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the 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 Court below/concerned Court in connection with Bairiya P.S. Case No. 269 of 2024.

(Rudra Prakash Mishra, J)

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