

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85028 of 2023

Arising Out of PS. Case No.-63 Year-2019 Thana- NAWADA MUFFASIL District- Nawada

Upendra Chaudhary Son Of Chamari Chaudhary R/O Village- Kharat, P.S.-
Muffasil, Dist.- Nawada

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 341, 323, 324, 302,
504/34 of the Indian Penal Code.

Prosecution case in nutshell is that when the
informant and his family members were at house,
petitioner along with other co-accused persons, armed
with Lathi, Danda, entered into the house and started
taking away valuable property. On protest, petitioner
assaulted informant's father by means jof lathi due to



which he sustained head injuries. It is further alleged that co-accused Sunil Choudhary assaulted by means of lathi and co-accused Chamari Yadav gave iron blow on the chest of informant's father due to which he fell down and succumbed to injuries. Thereafter, co-accused Shanti Devi and others also assaulted informant's father by means of stone and bricks.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Both parties are agnates and there is case and counter case between them. It is also submitted that petitioner is languishing in judicial custody since 24.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated several co-accused persons have already been granted bail by different co-ordinate Benches of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Muffasil P.S. Case No. 63 of 2019 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nawada.

(Sunil Kumar Panwar, J)

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