

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18347 of 2015

Arising Out of PS.Case No. -540 Year- 2014 Thana -SAHARSA District- SAHARSA

1. Dinesh Choudhary
2. Dileep Choudhary @ Dilip Choudhary, Both sons of Late Jiya Lal Choudhari. Both Residence of Village- Saharsa Basti, Ward No. 38, P.S.- and District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subesh Sharma

For the Opposite Party/s : Mr. Anil Pd.Singh(APP)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 25-06-2015 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Saharsa Sadar P.S. Case No. 540 of 2014 registered under Sections 341, 323, 324, 307, 354(B), 504 and 506/34 of the Indian Penal Code.

The accusation is that due to plucking of Guava of petitioners by the niece of the informant occurrence took place. In that course, petitioner Dinesh Choudhary gave spade blow at the head of informant. When mother of the informant came to save him then petitioner Dilip Choudhary also gave Khanti blow at the head of the mother of the informant.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that occurrence took place due to plucking of Guava but no any injury has been found on the person of the informant and injury as found on the person of the mother of the informant is simple in nature. It is further submitted that petitioners have no criminal antecedent.

Considering the aforesaid submissions, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 540 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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