

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11489 of 2015

Arising Out of PS.Case No. -335 Year- 2014 Thana -BALIA District- BEGUSARAI

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1. Sofindar Choudhary, son of Kapildeo Choudhary
2. Birendra Choudhary, son of Kapildeo Choudhary
3. Kapildeo Choudhary, son of late Kamli Choudhary
4. Rajesh Choudhary, son of Ram Shankar Choudhary
5. Ram Shankar Choudhary, son of late Mishri Choudhary.
All resident of village-Masudanpur, P.S. Ballia, District-Begusarai.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sandesh Roy
For the Opposite Party/s : Mr. Jagdhar Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 28-04-2015 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Ballia P.S. Case No. 335 of 2014 registered for the offences
punishable under Sections 147, 148, 149, 341, 447, 427, 354, 504,
506 of the Indian Penal Code and Section 27 of the Arms Act.

Almost all the sections are bailable except Section
354 of the Indian Penal Code and Section 27 of the Arms Act but
no specific overt-act has been attributed against the petitioners
regarding the offence of Section 354 of the Indian Penal Code and
27 of the Arms Act.

The contention on behalf of the petitioners is that

there is land dispute between the parties and as a matter of fact, petitioners no. 3 and 5 were witness in Ballia P.S. Case No. 186 of 2002 and when they did not depose in favour of the informant of the present case, the informant lodged this false case against the petitioners.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Begusarai in Ballia P.S. Case No. 335 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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