

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29155 of 2014

Arising Out of PS.Case No. -329 Year- 2013 Thana -KUDHNI District- MUZAFFARPUR

1. Ratnesh Chaudhary, son of Late Nagendra Chaudhary
2. Rameshwar Chaudhary, son of Sakaldeo Chaudhary @ Bodar Chaudhary
3. Satrugan Chaudhary, son of Late Nagendra Chaudhary
All are residents of village-Kharaura Jairam, Police Station-Kudhani,
District-Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Kailash Nath Diwakar, Adv.

For the Opposite Party/s : Mr. Awadhesh Kr.Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 30-01-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners, apprehending their arrest in connection
with Kudhani P.S. Case No. 329 of 2013 registered for the
offences punishable under Sections 147, 148, 341, 323,307 and
504 of the Indian Penal Code, seek the privilege of pre-arrest bail.

Allegedly, there is a counter version that the informant
and his son opened fire, causing injury to Munni Devi in her right
thigh and on alarm being raised, the villagers assembled and
caught Vinod Chaudhary and assaulted him and then Ram Vinod
Chaudhary has lodged this case with wrong allegations that he was
pushed from the roof.

Submission is that in the case, lodged by Punit Chaudhary @ Kaju, Ram Vinod Chaudhary @ Binod Choudhary was in custody and he was allowed regular bail by the High Court and as such, the petitioners in this false case are apprehending their arrest, to which the learned A.P.P. opposes the prayer of privilege of pre-arrest bail.

Considering the submissions urged at the bar, going through the record and noticing that there is a case and counter case and as alleged the villagers have assaulted the informant and as such, in the peculiar facts and circumstances the petitioners, in case of their arrest or surrender within two months from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. (West), Muzaffarpur in connection with Kudhani P.S. Case No. 329 of 2013, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

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