

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41272 of 2014

Arising Out of PS.Case No. -56 Year- 2013 Thana -KHUDWAN District- AURANGABAD

1. Birju Chouhan, son of Late Banshi Chouhan
2. Guddu Chouhan, son of Radhe Chouhan
Both resident of village kalen, P.S. Khudwan, District Aurangabad
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh

For the Opposite Party/s : Mr. C.Sen Prasad Singh (App)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 20-03-2015 Heard Sri Raj Kishore Prasad, learned counsel for the
petitioners and learned A.P.P.

Two petitioners, apprehending their arrest in connection with Khudwan P.S. Case No. 56 of 2013 registered for the offence under Section 366(A), 341, 323, 504/34 of the Indian Penal Code, have prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioners that of -course in the F.I.R. the informant had named the petitioners also as one of the accused, the statement of victim was recorded under Section 164 of the Cr.P.C. In her statement before the learned Magistrate she has categorically stated that she had gone along with one co-accused Bihari. Copy of Section 164 Cr.P.C. statement of the victim has been brought on record as Annexure - 2 to the present petition. On perusal of the order of

the court below it appears that petitioners were made accused since they were kith and kin of the accused Bihari.

Learned counsel for the petitioners submits that the accused Bihari has already be enlarged on bail by the court below vide Cr. Misc. No. 783 of 2015.

In view of the facts and circumstances particularly the facts disclosed by the victim, the court is of the opinion that it is a fit case for extending the privilege of anticipatory bail. In the event of their arrest or surrender within a period of eight weeks from today, both the petitioners namely Birju Chouhan and Guddu Chouhan shall be enlarged on bail on furnishing bail bond of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, District -Aurangabad in connection with Khudwa P.S. Case No. 56 of 2013 on conditions contemplated under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J)

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