

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43240 of 2014

Arising Out of PS.Case No. -56 Year- 2014 Thana -BARAULI District- GOPALGANJ

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1. Rakesh Chaudhary @ Rakesh Yadav S/o Jangi Chaudhary @ Jangi Rawat
2. Deepak Chaudhary @ Deepak Yadav S/o Suresh Chaudhary Both are resident of Village - Giri Tola, Ward No. 10, Khaodpur, P.S. - Gopalganj, District - Gopalganj

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Bhaskar Shankar, Advocate.

For the Opposite Party : Mr. Jagdhar Pd.(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 20-03-2015 Heard learned counsel for the petitioner as well as learned counsel for the State.

In this application for anticipatory bail the petitioner No. 1 Rakesh Chaudhary @ Rakesh Yadav apprehends his arrest for the offences punishable under sections 307, 324, 323, 341 and 504/34 of the I.P.C.

Petitioner no.2 Deepak Chaudhary @ Deepak Yadav has been arrested and as such prayer has been made to withdraw his bail application which is allowed.

Petitioner no.1 bears allegation in the F.I.R. that he

assaulted with rod on the nose of brother of the informant.

Learned counsel for the petitioner seeks privilege of pre-arrest bail on the ground of innocence and false implication by submitting that no offence under section 307 of the I.P.C. is made out against the petitioner and there is no allegation that the petitioner repeated the blow and as such he deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering the allegation attributed against petitioner no. 1 Raksh Chaudhary @ Rakesh Yadav, in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Gopalganj in Barauli P.S. Case No. 56 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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