

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42732 of 2015

Arising Out of PS.Case No. -663 Year- 2013 Thana -KHAGARIA District- KHAGARIA

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1. Putur Choudhary S/o Upendra Choudhary
2. Naga Choudhary S/o Upendra Choudhary
3. Upendra Choudhary S/o Mogal Choudhary
4. Binay Choudhary S/o Late Mahendra Choudhary
5. Natwar Choudhary S/o Pradeo Choudhary All residents of village -
Durgapur, P.S. - Muffasil, District - Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Rana Randhir Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 14-10-2015 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Khagaria (Muffasil) P.S. Case No. 663 of 2013 registered under Sections 147, 148, 149, 323, 307, 504, 506 of the I.P.C. and 3 (x) of SC/ST (prevention of atrocities) Act.

The allegation of informant Santosh Kumar is that he talked to the petitioner no.1 Putur Choudhary to left his son at school on payment of Rs. 500/- per month, while he had already given as advance Rs. 250/- but petitioner no.1 did not left his son at the school. When he made complaint, he told to make alternative arrangement. Thereafter, on 08.11.2013, Putur



Choudhary came and asked money and giving threatening to shot fire. In that course, Upendra Choudhary, father of Putur Choudhary came and assaulted him with slaps. Thereafter, on 09.11.2013, when he was returning early in the morning after prayer of sun, Amit Choudhary started firing as a result of which he fell down, thereafter, Amit Choudhary ran away leaving his motorcycle and again after 20 minutes Amit Choudhary along with petitioners came and abused him by his caste name.

Learned counsel appearing on behalf of the petitioners submits that in fact, the vehicle of the petitioner Putur Choudhary was engaged to carry the students in the school and son of the informant was also carrying by the vehicle. When Putur Choudhary made demand of monthly fare, hot talks were exchanged and due to that reason, informant has falsely implicated these petitioners. Moreover, it would appear from the F.I.R. itself that firing was made by one Amit Choudhary but no any injury is sustained by the informant.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by him within six weeks, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction

of C.J.M., Khagaria the in connection with Khagaria (Muffasil)
P.S. Case No. 663 of 2013, subject to the conditions laid down
under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J.)

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