

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42675 of 2014

Arising Out of PS.Case No. -115 Year- 2013 Thana -BHAGWAN BAZAR District- SARAN

- =====
1. Ravi Choudhary S/o Locchuman Choudhary
 2. Ashok Choudhary S/o Sheoji Choudhary
 3. Guddu Mian S/o Moti Rahman All residents of Mohalla Nai Bazar, P.S.
- Bhagwan Bazar, District - Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh

For the Opposite Party/s : Mr. Bhanu Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 21-04-2015 Heard counsel for the petitioners and learned

APP for the State.

The three petitioners herein apprehending their arrest in Bhagwan Bazar P.S. Case No. 115 of 2013 registered under sections 307 and 379 IPC have prayed for anticipatory bail. According to the FIR, the son of the informant was indiscriminately assaulted with iron rod by as many as seven accused persons including the petitioners.

The contention of the petitioner is that after conclusion of investigation the I.O. did not find sufficient evidence/material against the petitioners herein and

they were not sent up for trial. Learned Magistrate, however, took cognizance of the offence and hence the apprehension. Referring to Anenxure-4 which is an order passed in a bail petition it has been submitted that the victim did not receive any grievous injury. It has further been submitted that the petitioners do not carry any criminal antecedent.

Learned counsel for the State does not dispute the aforesaid contention but submitted that there is allegation of assault.

Considering the fact that the petitioners herein were not sent up by the I.O. as also the fact that no grievous injury was found on the person of the victim, I am inclined to grant the privilege of bail to the petitioners.

In the event of arrest/surrender within four weeks from today, petitioners above named shall be released on bail on furnishing bail bonds of Rs. 10,000/- each, with two sureties of the like amount each to the satisfaction of Sri S.C. Srivastava J.M. Chapra vide U.T. No. 314 of 2013 in Bhagwan Bazar P.S. Case No. 115/2013 on condition that one of the bailors of each of the petitioners shall be their own/close family members. In the event of framing



of charge the petitioners shall appear on each date fixed at the trial. Failure in appearance on two consecutive dates shall lead to cancellation of their bail bonds.

(Kishore Kumar Mandal, J)

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