

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49588 of 2015

Arising Out of PS.Case No. -146 Year- 2015 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Krishna Chaudhary Son of Gudi Chaudhary,
2. Ramesh Chaudhary, Son of Gajar Chaudhary,
3. Jhagaru Chaudhary, son of Rudal Chaudhary,
4. Naresh Chaudhary, Son of Bimal Chaudhary,
5. Ganesh Chaudhary, son of Gajar Chaudhary, All are resident of village -
Bangla Toli, Khadda, Ward No. 1 Police Station - Nautan, District - West
champan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Nawal Kishore Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-11-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,341,323,324,307,427,504 and 325 of the Indian Penal Code and section 27 of the Arms Act.

It is alleged that the accused persons including the petitioners assaulted the informant. It is specifically alleged that on the order of petitioner no. 2 Ramesh Choudhary, co accused Mahesh Choudhary assaulted with dab on the head of the informant. The accused persons also assaulted Imtiyaz and

Roushan Kumar when they came to rescue the informant. Dhanesh Choudhary assaulted Imteyaz Choudhary with country made pistol. Petitioner Krishna Choudhary assaulted the informant and others with iron rod as a result they fell down. Thereafter petitioners Ramesh Choudhary and Ganesh Choudhary and co accused Mahesh Choudhary assaulted Intiyaz and Raushan. Petitioner no. 3 Jhagaru Choudhary and co accused Mahesh Choudhary resorted to firing.

It is submitted by the learned counsel for the petitioners that specific accusation of assault is only against Mahesh Choudhary and petitioner Krishna Choudhary. Injury on the nose of the informant has been found to be grievous when other injuries are simple while the injuries of Intiyaz and Raushan have been found to be simple. The case lodged by the petitioners side was earlier in point of time.

Considering the specific accusation against petitioner no. 1 Krishna Choudhary, let the learned court below consider the prayer for regular bail of the petitioner no. 1 in case the petitioner no. 1 surrenders within six weeks from today in connection with Nautan P.S. Case No. 146 of 2015 pending in the court of learned J.M. West Champaran, Bettiah.

So far as petitioner nos. 2 to 5 are concerned, since the

accusation is not specific, let the above named petitioner nos. 2 to 5 be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M., West Champaran, Bettiah in connection with the aforementioned case subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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