

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49573 of 2015**

Arising Out of PS.Case No. -135 Year- 2015 Thana -AMAS District- GAYA

1. Manoj Chaudhary  
2. Shrawan Chaudhary,  
3. Dilip Chaudhary,

All Sons of Late Brahmdeo Chaudhary, resident of village -  
Malahwadih, P.S. - Amas, District - Gaya.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate  
For the Opposite Party/s : Ms. Nirmala Kumari , APP

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2      04-11-2015                      Heard learned counsel for the petitioners and learned  
counsel for the State.

The petitioners seek pre-arrest bail in connection with  
Amas P. S. Case No. 135 of 2015 registered under Sections 341,  
323, 308/34 of the Indian Penal Code.

It is contended that the prosecution story is out and out  
false, concocted and fabricated one and there is no truth at all in  
the facts alleged on behalf of the informant. The petitioners are co-  
villagers of the informant and due to dispute of taking water from  
canal for irrigation of the field of rice, some altercation took place,  
but no injury was caused to the informant. However, the injury

report, which has been issued by the doctor, would also indicate that the informant had sustained simple and superficial injuries and thus the ingredients of the offence punishable under Section 308 of the Indian Penal Code would not be attracted in the present case.

Learned counsel for the State has opposed the application for grant of anticipatory bail to the petitioners.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- ( Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Sherghati at Gaya in Amas P. S. Case No. 135 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Ashwani Kumar Singh, J.)**

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