

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51255 of 2015

Arising Out of PS.Case No. -263 Year- 2015 Thana -KHAGARIA District- KHAGARIA

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1. Sanatan Chaudhary Son of Mahesh Chaudhary
 2. Madho Chaudhary Son of Late Sadanand Chaudhary
 3. Ranjay Chaudhary Son of Late Sadanand Choudhary
 4. Gautam Chaudhary Son of Umesh Chaudhary All resident of Village-
Charkhutti Rahimpur, Police Station Muffasil, District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Atul Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 15-12-2015

Heard both sides.

The petitioners apprehend arrest in a case registered for the offences punishable under sections 379, 307 and other allied sections of the Indian Penal Code and section 27 of the Arms Act.

It is submitted that the petitioners are not the assailants. No injury was found. Similarly situated accused persons Mohan Choudhary, Sohan Choudhary and Murari Choudhary have already been granted anticipatory bail vide order passed in Criminal Misc. No. 45037 of 2015 and the case of the petitioners stands on the same footing. It is further submitted that

there is series of litigation between the parties on account of land dispute.

From perusal of the bail petition itself it appears that petitioner no. 1 is accused in two cases registered under sections 353, 188, 147 and section 420 of the Indian Penal Code and all the petitioners are accused in many other cases said to have been going on in between the parties on account of land dispute.

Considering the facts aforesaid, I am not inclined to grant privilege of anticipatory bail to the petitioners in connection with Khagaria Mufassil P.S. Case No. 263 of 2015 pending in the court of the learned Chief Judicial Magistrate, Khagaria. This application for anticipatory bail is, accordingly, rejected.

The petitioners, if so advised, may surrender and pray for regular bail before the court below which shall be considered and disposed of taking into consideration that similarly situated co-accused, except that they have no criminal antecedent, have been granted anticipatory bail, preferably on the same day.

(Prabhat Kumar Jha, J)

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