

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52958 of 2015

Arising out of PS. Case No. -384 Year- 2015 Thana -KHAGARIA District- KHAGARIA

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1. Brajesh Choudhary son of Hariballav Choudhary
 2. Narendra Choudhary son of Hariballav Choudhary Both resident of Village - Rahimpur Sonbarsha, 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. Rajesh Kumar, Advocate

For the Opposite Party/s : Smt. Veena Rani Pd.(APP)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 15-12-2015

Heard the parties.

The petitioners apprehend their arrest in connection with Khagaria (Muffasil) P.S. Case No. 384 of 2015 for the offences punishable under sections 341, 323, 324 and 307 of the Indian Penal Code.

The two petitioners have been charged with assault on the informant and his wife. The injury report is at Annexure-2 and also reflects an injury on the scalp. Although it is argued by Mr. Rajesh Kumar that the parties are Gotiyas and are on litigating terms but considering the allegation in the FIR which charges the petitioner no. 2 Narendra Choudhary of assaulting the informant on his head which allegation stands supported from the injury report, the prayer for anticipatory bail of the

petitioner no. 2 Narendra Choudhary is rejected. The petitioner no. 2 Narendra Choudhary is directed to surrender before the court below and pray for regular bail which would be considered and disposed of on its own merits without being prejudiced by the order passed herein.

Insofar as the petitioner no. 1 Brajesh Choudhary is concerned, considering the general nature of allegation set out against him, let the petitioner no. (1), namely, Brajesh Choudhary; in the event of his arrest or surrender within four weeks from today be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria and/or the court concerned in connection with Khagaria (Mufassil) P.S. Case No. 384 of 2015, G.R. No. 1516 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application is allowed in part.

(Jyoti Saran, J)

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