

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43386 of 2015

Arising Out of PS.Case No. -65 Year- 2015 Thana -GOPALPUR District- BHAGALPUR

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1. Ashok Choudhary, son of Late Kuldeep Choudhary
2. Mohan Choudhary, son of Late Kuldeep Choudhary
3. Mala Devi wife of Mohan Choudhary All residents of village Rangra P.S.
Rangra District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anup Kumar Pandey

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

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-10-2015

At the outset, learned counsel for the petitioners seeks leave to withdraw the application on behalf of petitioner no.3 Mala Devi.

Leave is granted.

Learned counsel for the petitioners has pressed the application under Section 438 of the Code of Criminal Procedure in respect of petitioner no.1 Ashok Choudhary and petitioner no.2 Mohan Choudhary. Initially, a complaint was filed, which was referred to the police under Section 156(3) of the Code of Criminal Procedure for investigation pursuant to which FIR has been instituted.

Taking into consideration the observation made in

the impugned order dated 28.07.2015 passed in A.B.P. No. 1209 of 2015 by the learned Sessions Judge, Bhagalpur, in the event of arrest or surrender before the court below within six weeks from today, petitioner no.1 Ashok Choudhary and petitioner no.2 Mohan Choudhary are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Naugachia in connection with Gopalpur Rangra P.S. Case No. 65 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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