

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49442 of 2014

Arising Out of PS.Case No. -203 Year- 2014 Thana -UCHAKAGAON District- GOPALGANJ

- =====
1. Rameshwer Chaudhary S/o - Late Manbodh Chaudhary R/o - Vill - Balesara, P.S. - Uchakagaon, Distt. – Gopalganj.
 2. Abhay Yadav @ Abhay Kumar Yadav S/o - Rameshwar Chaudhary R/o - Vill - Balesara, P.S. - Uchakagaon, Distt. – Gopalganj.
 3. Gyanti Devi W/o - Rameshwar Chaudhary R/o - Vill - Balesara, P.S. - Uchakagaon, Distt. – Gopalganj.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ratnakar Pandey, Advocate.

For the Opposite Party : Mr. Raj Kishor Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 09-04-2015 Heard both sides.

Petitioners apprehend their arrest in a case under Sections 147, 149, 341, 323, 324, 307, 379 and 504 of the I.P.C.

The informant Ramdeo Chaudhary made allegation that the petitioners assaulted the informant and his family members only because the kid she-goat grazed the field of the petitioners.

It is submitted that there is counter version bearing Uchakagaon P.S. Case No. 204 of 2014. A Title Suit No. 181 of 1987 is also pending. The injury found on the head of Ramdeo Chaudhary is simple in nature. On consideration of the fact, it appears that there is no specific allegation of assault against

petitioner no. 1 Rameshwar Chaudhary and petitioner no. 3 Gyanti Devi. Accordingly, they are directed to be released on bail, in the event of their arrest or surrender before the learned Court below within four weeks from the date of receipt/production of a copy of the order on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of J.M. Ist Class, Gopalganj, in connection with Uchakagaon P.S. Case No. 203 of 2014, subject to the conditions as laid down under Section 438(2) Cr. P.C.

So far as the case of petitioner no. 2 Abhay Yadav @ Abhay Kumar Yadav is concerned, there is specific allegation that he assaulted the informant with Farsa. The informant got simple injury on the head but one grievous injury was found on the back of Ramdeo Chaudhary.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner no. 2 on anticipatory bail. Accordingly, the same is rejected.

U.K./-

(Prabhat Kumar Jha, J)

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