

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41591 of 2015

Arising Out of PS.Case No. -168 Year- 2015 Thana -PIRPAINTI District- BHAGALPUR

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1. Janardan Choudhar, S/o Late Surya Narayan Choudhary
2. Sanjay Choudhary, S/o Late Surya Narayan Choudhary
3. Dayanand Choudhary S/o Late Surya Narayan Choudhary
4. Gautam Choudhary S/o Late Surya Narayan Choudhary
5. Chhotu Choudhary, Son of Dayanand Choudhary, All are resident of
village- Govindpur, P.S.- Pirpaiti, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh

For the Opposite Party/s : Mr. Binod Kumar(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 07-10-2015 Heard learned counsel for the petitioners Mr. Abhay Kumar Singh and learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Pirpaiti P.S. Case No. 168 of 2015 registered for offences punishable under Sections 147/148/149/447/324/323/379 and 504 of the Indian Penal Code.

The prosecution case is that on the basis of written report of the informant namely Navin Goswami, to the Officer-in-Charge, Pirpaiti Police Station dated 04.06.2015 has alleged therein that in the previous night at 12.30 hours informant with this family were sleeping at their darwaja. In the meantime, (1) Janardan Choudhary, (2) Sanjay Choudhary, (3) Dayanand Choudhary (4) Gautam Choudhary, son of Late Surya Narayan Choudhary (5) Chhotu Choudhary, Son of Janardan Choudhary (6) Raushan

Choudhary (7) Suman Choudhary son of Dayanand Choudhary (8) Nikhil Choudhary all of them came at his darwaja armed with sharp cutting weapon, Lathi and Barchi and assaulted the informant and others and also taken away cash amount of Rs. 47,000/- and snatched away golden chain weighing two *Bhar*.

It has been stated on behalf of the petitioners that the allegations are general and omnibus and there is no specific allegation of assault by a singular person. It has further been submitted that it was on the occasion of a marriage ceremony of the relative of the petitioners that the informant and other persons came and created mischief. He further submits that the petitioners have no criminal antecedent, which is evident from paragraph No. 3 of the application.

In such circumstances, let the petitioners abovenamed, in the event of their arrest / surrender within a period of four weeks from today, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Pirpaiti P.S. Case No. 168/2015 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Nilu Agrawal, J)

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