

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3504 of 2016

Arising Out of PS.Case No. -150 Year- 2015 Thana -SARAI District- VAISHALI(HAJIPUR)

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1. Raju Chaudhary
 2. Manoj Chaudhary Both sons of Dhrub Narayan Chaudhary
 3. Kishun Chaudhary son of Binod Chaudhary @ Binod Kumar All residents of Village - Bhawani Road, Sarai, P.S. - Sarai, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Bharat Bhushan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,342,323,324,325,307 and 354 of the Indian Penal Code and section 7 of the E.C. Act.

The prosecution case is that on 3.9.2015 the informant witnessed that 12 bags of wheat and rice having government monogram were being carried on a cart when the cart driver disclosed that he was carrying the grains at the behest of the petitioners and the co accused Sanjeet Kumar, the Parcel Clerk of Sarai Rail rack division. In the

meantime, the accused persons came and co accused Sanjeet Kumar assaulted the informant with knife and the petitioners also assaulted the informant.

It is submitted by the learned counsel for the petitioners that maliciously the accusation has been levelled. The informant himself is accused in several cases of theft of railway property, the details of which have been mentioned in paragraph 10 of the petition as the informant is accused in Muzaffarpur Rail P.s. Case No. 4 of 2014, Muzaffarpur Rail P.S. Case No. 1 of 2015 and Sarai P.S. Case No. 168 of 2015. It is further submitted that on protest being made by the petitioners side against the illegal activities of the informant then the present case has been lodged. There is counter version of the occurrence. Specific accusation of assault is against Sanjeet Kumar and the nature of injury has been found to be simple. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each



with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur in connection with Sarai P.S. Case No.150 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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