

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3233 of 2016

Arising Out of PS.Case No. -75 Year- 2015 Thana -VALMIKINAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Surendar Chaudhary Son of Late Anirudh Chaudhary,
2. Nagendra Pal, Son of Late Raja Pal, Both residents of village-
Kotraha,P.S. -Valmiki Nagar, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Tiwari

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 20-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,324,307,379 and 504/34 of the Indian Penal Code.

The prosecution case is that the informant was demanding the land receipt from his mother who resides with younger brother (petitioner no. 1 Surendra Choudhary) when Surendra Choudhary started abusing and consequently assaulted the informant with axe. When the son of the informant Kanhaiya Kumar came to rescue then Surendra Choudhary also assaulted him with Bakula and snatched three hundred rupees.

It is submitted by the learned counsel for the petitioners

that due to land dispute the accusation has been levelled and the accusation of assault is not against petitioner no. 2 Nagendra Pal. More over, the injury has been found to be simple.

Let the learned court below consider the prayer for regular bail of the petitioner no.1 Surendra Choudhary in case the petitioner no. 1 surrenders within six weeks from today in connection with Valmiki Nagar P.S. Case No. 75 of 2015 pending in the court of learned S.D.J.M. Bagaha, West Champaran.

So far as petitioner no. 2 Nagendra Pal is concerned, since the accusation is omnibus and general, let the above named petitioner no. 2 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) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Bagaha, West Champaran in connection with the aforementioned case subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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