

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8539 of 2016

Arising Out of PS.Case No. -366 Year- 2015 Thana -JOGAPATTI District- WESTCHAMPARAN (BETTIAH)

1. Jamadar Choudhary, Son of Late Lakhan Choudhary.
2. Dharmendra Choudhary, Son of Jnndar Choudhary.
3. Sugreem Choudhary, Son of: Jamadar Choudhary. All residents of Village:- Bharthapati, P.S. Yogapatti (Nawalpur), District: West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.6607 of 2016

Arising Out of PS.Case No. -366 Year- 2015 Thana -JOGAPATTI District- WESTCHAMPARAN(BETTIAH)

1. Badhu Choudhary Son of Late Daroga Choudhary
2. Kamlesh Choudhary Son of Badhu Choudhary
3. Feku Choudhary Son of Indrashan Choudhary
4. Amawash Choudhary Son of Adalat Choudhary
5. Seth Choudhary Son of Late Narayan Choudhary All residents of village - Bharthapatti, P.S. Yogapatti (Nawalpur), District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.8539 of 2016)

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr. Rajendra Singh Shastri (App)

(In Cr.Misc. No.6607 of 2016)

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr. Ajay Kumar-I(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 08-04-2016 Heard learned Counsel for the petitioners, and

learned Additional Public Prosecutor for the State.

These applications, for grant of anticipatory bail,

arise out of Yogapatti (Nawalpur) Police Station Case No. 366 of 2015, disclosing offences under Sections 147, 149 and 302 of the Indian Penal Code.

Learned Counsel for the petitioners appears to be right in his submission that there is no specific allegation of assault by these petitioners, which resulted into the death of the deceased. It appears that electricity poles were being installed, which was being objected by the accused persons, including these petitioners. It is alleged that father of the informant intervened and asked the named accused persons as to why were they causing obstructions in the installation of the electricity poles. Annoyed with this, the accused persons including these petitioners are said to have assaulted the deceased.

However, considering the fact that the allegations are general and omnibus in nature and nothing specific has been alleged, these applications are allowed.

Let the petitioners, namely, Jamadar Choudhary, Dharmendra Choudhary, Sugreem Choudhary, Badhu Choudhary, Kamlesh Choudhary, Feku Choudhary, Amawash Choudhary and Seth Choudhary, in the event of their arrest or surrender before the Court below within six weeks, be released 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 Sri B. K. Ray, Additional Chief Judicial Magistrate II, Bettiah, West Champaran, in connection with Yogapatti (Nawalpur) Police Station Case No. 366 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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