

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6697 of 2016

Arising Out of PS.Case No. -215 Year- 2015 Thana -JANDAHA District- VAISHALI(HAJIPUR)

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1. Tufani Chaudhary @ Jitendra Kumar Jayaswar @ Jitendra Kumar Jayaswal, Son of Late Sarwan Chaudhary Resident of Nasrathpur, P.S. Jandaha, District - Vaishali.
 2. Gulfan Chaudhary @ Praful Kumar, S/o of Late Sarwan Chaudhary,
 3. Rajiv Kumar Chaudhary, S/o Sri Kedar Chaudhary, All resident of Nasrathpur, P.S. - Jandaha, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 14-03-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Jandaha Police Station Case No. 215 of 2015, disclosing offences under Sections 447, 341, 323, 324, 504, 354 and 307/34 of the Indian Penal Code.

Learned Counsel appearing on behalf of the petitioners submits that no offence under Section 307 of the Indian Penal Code is made out as there is no allegation that the assault was made with an intent to kill anyone. He also submits that the injuries have been found to be simple



in nature, caused by hard and blunt substance, which falsifies the case of the prosecution. It has been stated that there is no criminal antecedent of the petitioner nos. 2 and 3 and so far as the petitioner no. 1 is concerned, a case was instituted against him in the year 2009 for the offence punishable under Section 379 of the Indian Penal Code, in which he is on bail.

Considering the submissions advanced on behalf of the petitioners and the nature of accusation against them, this application is allowed.

Let the petitioners, namely, Tufani Chaudhary @ Jitendra Kumar Jayaswar @ Jitendra Kumar Jayaswal, Gulfan Chaudhary @ Praful Kumar and Rajiv Kumar Chaudhary, 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 Additional Chief Judicial Magistrate XI, Vaishali at Hajipur, in connection with Jandaha Police Station Case No. 215 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.

Prabhakar Anand/-

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(Chakradhari Sharan Singh, J.)