

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8626 of 2016

Arising Out of PS.Case No. -136 Year- 2014 Thana -HASPURA District- AURANGABAD

- =====
1. Sunil Choudhary
 2. Chandrama Choudhary
 3. Randhir Choudhary @ Raz Randhir Choudhary All sons of Late Siya Ram Choudhary
 4. Kameshwar Choudhary Son of Shobha Choudhary All resident of village - Jalpura, P.S. Haspur, District - Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Singh, Adv.

For the Opposite Party/s : Mr. Kr.Ranjit Ranjan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-02-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case is that the informant's husband was assaulted by six accused persons including the petitioners who subsequently succumbed to the injuries on the spot.

It is submitted by learned counsel for the petitioners that all the six accused persons are from one family as father, sons and uncle have been made accused. The specific accusation of indiscriminate assault is levelled against Anil Choudhary. The

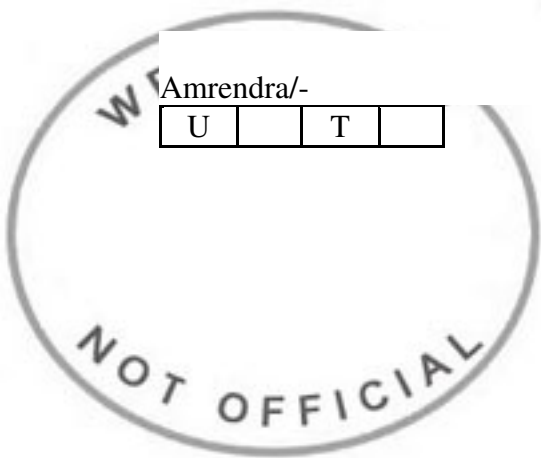


postmortem report reflects two injuries. On conclusion of investigation, Anil Choudhary was chargesheeted while the investigation was kept pending against the petitioners and subsequently final form was submitted and petitioners were not sent for trial but differing with the final form cognizance has been taken vide order dated 14.08.2015. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that accusation of indiscriminate assault has been alleged against six accused persons when only two injuries were found during postmortem coupled with the fact that the petitioners were not sent up for trial, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Daudnagar, Aurangabad in connection with Haspura P.S. Case No. 136 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The learned court below will be at liberty to cancel the bail bonds of the petitioners if they default for two consecutive occasions or substantially get involved in some

serious nature of offences.



(Dinesh Kumar Singh, J)