

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36542 of 2016

Arising Out of PS.Case No. -127 Year- 2016 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

1. Sunil Chaudhary,
2. Gopal Chaudhary @ Sanjeev Jaiswal @ Sujeet Kumar Jaiswal, Both
sons of Rajendra Chaudhary, Resident of Village-Govindpur Wazibpur
P.S.- Bidupur, District- Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 21-09-2016 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Bidupur P.S. Case No. 127 of 2016, registered under
Sections 341, 323, 325, 308, 354 and 379/34 of the Indian Penal
Code.

The accusation is that on 09.05.2016 at 9.00 P.M.
both the petitioners entered in the house of informant Pooja Devi
and petitioner Sunil Choudhary started abusing her and thereafter
torn her blouse and caused injury at her head and chest and he
also abused to her younger daughter Sonam, in filthy language,
and assaulted her. At that time, petitioner Gopal Chaudhary

snatched a golden chain worth of Rs. 30,000/- from the neck of the informant.

Learned counsel for the petitioners submits that petitioners and informant are next door neighbours and due to the occurrence of Marpit, five persons including Abha Kumari, wife of petitioner No.2 Gopal Chaudhary @ Sanjeev Jaiswal also sustained injury and on the basis of fardbeyan of Abha Kumari Bidhupur P.S. Case No. 128 of 2016 was instituted under Sections 147, 149, 341, 323, 324, 308, 504 and 506 of I.P.C. After knowing about the lodging of the case by Abha Kumari wife of petitioner No. 2, the informant of the present case lodged this case with false case. The occurrence of Marpit said to be occurred on 09.05.2016 at 9.00 P.M. and F.I.R. was lodged on 16.05.2016, but injury reports were prepared on 09.05.2016 at 3.00 P.M., which clearly indicates about false implication of the petitioners by the informant.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four 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 the Chief Judicial Magistrate,
Vaishali at Hajipur in connection with Bidupur P.S. Case No. 127
of 2016, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J.)

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