

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51774 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -AMARPUR District- BANKA

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1. Bholu Choudhary @ Bhola Prasad Choudhary
2. Nirmala devi Wife of Bholu Choudhary @ Bhola Prasad Choudhary Both
are Resident of Village-Khanjpur, P.S.-Amarpur, District-Banka
.... Petitioners

Versus

1. The State of Bihar
.... Opposite Party

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Appearance :

For the Petitioners : Mr. Brij Nandad Prasad, Adv.

For the Opposite Party : Mr. Chandrasen Prasad Singh, APP 151

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 20-12-2016 Heard the learned counsel for the petitioners and the
State.

This is a petition for grant of anticipatory bail for
offence under Sections 341, 323 and 504/34 of the Indian Penal
Code.

Allegation is that the petitioners assaulted the
informant with lathi. The first information report lodged for
bailable offence only, however, the police submitted charge sheet
against 308 of the Indian Penal Code.

Submission of the petitioners is that after managing
injury report, the informant in collusion with the investigating
officer got the charge sheet submitted under Section 308 of the
Indian Penal Code.

Considering the aforesaid fact, the petitioners, above
named, in the event of their arrest or surrender, within four weeks
from the date of receipt of this order, be released on anticipatory
bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand)
each with two sureties of the like amount each in connection with
Amarpur P.S. Case No. 34 of 2016 to the satisfaction of the



Chief Judicial Magistrate, Banka, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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