

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46137 of 2016

Arising Out of PS.Case No. -9 Year- 2016 Thana -ALIPUR District- GAYA

Chand Chaudhary @ Chandan Chaudhary, son of Devaki Chaudhary

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sri Manish Kumar 2, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 22-10-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147/149/341/323/324/307/504/506/427/430 of the Indian Penal Code.

Prosecution case is that the informant was in his wheat crop field on 16.01.2016 at 6.15 A.M. when the accused person surrounded him and attempted to flow irrigation water through the land of the informant. On protest being made the accused

persons abused the informant and co-accused Ram Pravesh Yadav assaulted on the head of the brother of the informant namely Laldeo Singh through iron khanti, as a result he fell down. Thereafter, other accused persons assaulted them with lathi.

It is submitted by learned counsel for the petitioner that the informant has named eight persons, but specific accusation of assaulting the brother of the informant Laldeo Singh is against Ram Pravesh Yadav, who has received one grievous injury. The accusation of assault is not specific against the petitioner and considering the same the other accused persons namely Binod Yadav, Darshan Yadav, Rajeshwar Yadav and Bhuee Yadav have been granted bail by co-ordinate Bench of this Court vide Criminal Miscellaneous No.25908/2016 and 39830/2016. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the accusation being not specific against the petitioner, the genesis of the occurrence and the fact that similarly situated accused persons have been granted bail, let the

above named petitioner 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) with two sureties of the like amount each to the satisfaction of the learned ACJM-X, Gaya, in connection with Alipur P.S. Case No.9/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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