

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43188 of 2016

Arising Out of PS.Case No. -131 Year- 2016 Thana -UCHAKAGAON District- GOPALGANJ

=====

1. Dinesh Chaudhary @ Dinesh Kumar Yadav @ Srivastava, Son of Parash Chaudhary.
2. Pramod Chaudhary @ Pramod Kumar Yadav, Son of Ramakant Chaudhary
3. Arvind Chaudhary @ Arvind Kumar Yadav, Son of Ramakant Chaudhary
4. Pappu Chaudhary @ Pappu Kumar Yadav, Son of Ramakant Chaudhary
All residents of Village-Chhotka Sankhe, P.S. Uchkagawn, District-Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 28-11-2016 Heard learned counsel for the petitioners and learned Additional Public Prosecutor, appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Uchkagawn P.S. Case No. 131 of 2016, registered for offences punishable under Sections 341, 323, 307, 447, 504 and 506/34 of the Indian Penal Code.

Accusation against petitioners is that they along with some other went to the door of the informant and pressurized informant's mother to withdraw the case, which had earlier been lodged against the petitioners. Informant's mother refused upon which petitioners and their associates assaulted the informant as



well as his brother.

Submission on behalf of the petitioners is that no occurrence as alleged in the fardbeyan of the informant did ever take place. It is a matter of fact that on alleged date of occurrence, it was the prosecution party, who assaulted the petitioner no. 3, who lodged Uchkagawn P.S. Case No. 129 of 2016 against the prosecution party. It is further submitted that Annexure-2 to this petition goes to show that petitioner no. 3 sustained altogether seven injuries and two injuries were found insized wound caused by sharp cutting weapon and the Doctor opined that two injuries were dangerous to the life of the petitioner no. 3. It is furthermore submitted that so far as the injured of present case, they sustained simple injuries and the same were not found on the vital part of the body except only one injured, namely, Sudeshwar Pandey, who sustained injury on his head but the said injury is also simple in nature.

Considering the aforesaid facts and circumstances and the submissions of the parties, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (Rs. Ten Thousand) each with two sureties of the like



amount each to the satisfaction of learned Additional Chief
Judicial Magistrate, IX, Gopalganj in connection with Uchkagawn
P.S. Case No. 131 of 2016, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

sunil/-

U		T	
---	--	---	--

