

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49253 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -BARAULI District- GOPALGANJ

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1. Subhash Choudhary S/o Late Vikrama Choudhary
2. Binda Choudhary Son of Nagina Choudhary Both are resident of Village-
Bakhrour Panchpatia, P.S. Barouli, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 21-12-2016 As prayed, the application on behalf of petitioner no.2
Binda Choudhary is dismissed as withdrawn.

Heard the counsel for the petitioner and Mr. Dayal, APP
for the State.

The sole petitioner prays for anticipatory bail in Barouli
P.S. Case No. 100 of 2016 registered under sections 307 and 354
IPC. The allegation, in brief, is that the petitioner assaulted the
informant with a Lathi on his head which was warded off and hit
his shoulder. Further allegation is that he assaulted Bindu Devi,
the aunty of the with a Lathi on her hand causing fracture.

The contention of the petitioner is that both parties are
Gotias. There is inordinate delay in lodging the case. Earlier to this



the uncle of the petitioner has lodged the case against the present prosecution side vide Barouli P.S. Case No. 99 of 2016 registered under section 307 IPC for causing injury to the informant by means of Lathi, iron rod etc. It is stated that considering the facts of the case co-accuseds of the counter case have been granted anticipatory bail vide order dated 28.09.2016 passed in Cr. Misc. No. 35029 of 2016. The petitioner has no criminal antecedents.

Considering the aforesaid, let the petitioner named above, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in Barouli P.S. Case No. 10 of 2016 on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall have liberty to cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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