

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 49464 of 2017

Arising Out of PS.Case No. -369 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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Ashok Chaudhary, son of late Ramotar Chaudhary, resident of Village –
Durgapur, PS – Mufassil, District - Khagaria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Ranjeet Kumar Singh, Advocate

For the S t a t e : Mr Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 17-10-2017

Heard learned counsel for the petitioner, informant

and learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 341, 323, 307, 302/34 of Indian Penal Code.

The allegation pertains to assault by the petitioner
and his family members upon the informant and his father
(deceased) who was the brother of the instant petitioner. Counsel
for the petitioner submits that there is general and omnibus
allegation against the petitioner. It is further submitted that main
allegation of inflicting injury on the back of the head of the
informant is attributed to co-accused Rinku Kumar and Tinku
Kumar. It is also submitted that in fact scuffle had ensued
between the parties on account of land dispute. It is further
submitted that similarly situated co-accused Nibha Devi has been



granted anticipatory bail by this Court by order dated 12.09.2017 passed in *Cr Misc No 38261 of 2017*. Prior to the instant case, it is submitted that there is no criminal antecedent of the petitioner.

Considering the aforesaid submissions, petitioner's prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in Khagaria Mufassil Police Station Case No 369 of 2017, GR No 1557 of 2017 subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.

(iii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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