

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62110 of 2017

Arising Out of PS.Case No. -525 Year- 2015 Thana -DEHRI TOWN District- SASARAM
(ROHTAS)

- =====
1. Umesh Choudhary,
 2. Dinesh Choudhary, Both Sons of Indra Dev Choudhary, R/o Village-
Kamran Ganj, P.S.- Dihari (Indrapuri), District- Bihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 22-12-2017

Heard learned counsel for the petitioners

and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 427, 385 and 120B of the Indian Penal Code.

The prosecution case, as per the written report of Shiv Choudhary, the informant, submitted before the Officer-in-Charge, Indrapuri, Dehri Police Station, is to the effect that the co-villagers including the petitioners and unknown persons damaged the Xylo vehicle by which his son Vinay Kumar Choudhary had gone to P.P.C.L. Colony and



assaulted the informant by sword and Rami on the head, causing fracture and bleeding injury on the head and on the leg of the informant. The friend of the son of the informant also sustained injury on his finger. The accused persons took away Rs.1,00,000/- , Samsung mobile and gold chain from the son of the informant and his son's friend.

It is submitted by learned counsel for the petitioners that the son of the informant, Vinay Kumar Chaudhary murdered the niece of co-accused Dharmu Choudhary by dashing with his vehicle, leading to registration of Dehri Town P.S. Case No. 485 of 2015 lodged by brother of co-accused Dharmu Choudhary with accusation under Sections 302, 427 and 120B of the Indian Penal Code on 20.10.2015 and thereafter for the occurrence of 18.11.2015 the present FIR was lodged on 20.11.2015 which was received in the Court of learned Magistrate on 23.11.2015. It is further submitted by learned counsel for the petitioner that the accusation is omnibus and general. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Considering the nature of accusation being omnibus and general and delayed lodging of the FIR, let the



above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Dehri (Rohtas) in connection with Dehri (Indrapuri) P.S. Case No. 525 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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