

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24076 of 2017

Arising Out of PS.Case No. -141 Year- 2015 Thana -SAHARSA District- SAHARSA

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1. Jagdish Choudhary, S/o Late Kailu Choudhary,
2. Amit Choudhary, S/o Jagdish Choudhary, Both Resident of Village-
Gandhipath Ward No. 7, P.S. & Dist.- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. M. K. Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 25-08-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek anticipatory bail in Saharsa Sadar P.S.
Case No.141 of 2015 instituted for the offences under Sections
341, 323, 324, 354 and 307/34 of the Indian Penal Code.

Allegation has been made that accused Sanjay Choudhary
has teased the niece of the informant and when it was protested
then accused persons including petitioners came armed with
sword, iron rod and assaulted the informant when brother of the
informant, namely Yogendra Choudhary, came to rescue then he
was also assaulted.

Learned counsel for the petitioner submits that both
parties are neighbour. They have settled the dispute and



petitioners have produced an order of this Court passed in Cr. Misc. No. 25784 of 2015 in which this Court directed the petitioners to surrender before the court below.

In such view of the matter, this Court is not inclined to enlarge the petitioners on anticipatory bail. Accordingly the prayer for bail is rejected. However, if the petitioners surrender before the court below within a period of four weeks, the court below will pass an order on the same day on its own merit without being prejudiced by the order passed by this Court.

(Shivaji Pandey, J)

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