

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30128 of 2017

Arising Out of PS.Case No. -245 Year- 2017 Thana -JAHANABAD District- JEHANABAD

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1. Nanhaku Chaudhary, son of Late Faguni Chaudhary.
2. Jitendra Chaudhary.
3. Ramadhar Chaudhary,
Both sons of Nanhaku Chaudhary, resident of Village Erki, P.S. & District-
Jehanabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 06-07-2017 Heard learned counsels for the petitioners and the

State.

The petitioners apprehend their arrest in connection
with Jehanabad P. S. Case No. 245 of 2017 instituted under
Sections 307, 323, 341, 379 and 504 of the Indian Penal Code.

The allegation, in brief, is that petitioners are the
neighbour of the informant and over the dispute of drainage, they
assaulted with *lathi* and *Khanti* to the informant. The specific
allegation against Jitendra Chaudhary (Petitioner No. 2) is that he
gave Khanti blow over the head of the informant and when his son
and wife came to rescue him then other petitioners also assaulted
them. Specific allegation against Ramadhar Chaudhary (petitioner
no. 3) is that he assaulted the son of the informant with *Bletha*
causing fracture in his hand.



Learned counsel for the petitioners submits that both parties are neighbours and over the drainage issue, there is case and counter case and two injuries on the person of the informant are only abrasion and other long lacerated wound and all are simple in nature, except the injury on the person of the informant's son Anil Kumar, causing fracture.

There is specific allegation against petitioner no. 3 Ramadhar Chaudhary that he gave a *lathi* blow causing fracture, grievous injury to informant's son, so the prayer of anticipatory bail of petitioner no. 3 is rejected.

As far as rest two other petitioner nos. 1 and 2, namely, Nanhaku Chaudhary and Jitendra Chaudhary, are concerned, they are directed to be released on bail, in the event of arrest or surrender before the court below within four weeks from today, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with - Jehanabad P.S.Case No. 245 of 2017; subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Arun Kumar, J)

Sujit/-

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