

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32378 of 2017

Arising Out of PS.Case No. -101 Year- 2016 Thana -SURYAPURA District- SASARAM
(ROHTAS)

- =====
1. Narendra Choudhary, Son of Late Ram Kishun Choudhary.
 2. Dharmendra Choudhary, Son of Bimal Choudhary.
 3. Kamlesh Choudhary, Son of Bimal Choudhary,
 4. Shailendra Choudhary, Son of Uma Shankar Choudhary.
 5. Manohar Choudhary, Son of Dudeswar Choudhary.
 6. Dudeswar Choudhary, Son of Bigu Choudhary.
- All residents of Village- Larui, P.S. Suryapura, District- Rohtas.

.... Petitioner/s.

Versus

The State of Bihar.

.... Opposite Party/s.

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 10-08-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Suryapura P.S. Case No.101 of 2016 registered under Sections
341, 323, 504, 379, 354 and 307/34 of the Indian Penal Code.

The accusation is that due to land dispute, the petitioners
came at the door of the informant and started to abuse. When the
informant made protest, then the petitioner no.1 Narendra
Choudhary, torn her blouse and led her on the ground catching her
hair. When Bechan Choudhary, the husband of the informant,



rushed to save her, then the petitioner no.1 Narendra Choudhary caused injury to the informant on her head through lathi and also caused injury to her husband. The other petitioners also caused injury to the family members of the informant.

Learned counsel appearing on behalf of the petitioners submits that while the petitioners are named in the F.I.R. but the specific allegation to tear blouse of the informant and caused injury to the informant and her husband is against the petitioner no.1 Narendra Choudhary. While the injury as caused to the husband of the informant is simple in nature but fracture injury was found on the shoulder of the informant. Further submission is that in the occurrence of 'Maar-Peet' between the parties, the petitioners' side also sustained injury regarding which on the basis of the written report of the petitioner no.2 Dharmendra Choudhary, Suryapura P.S. Case No.102 of 2016 for the offence under Sections 341, 323, 504 and 379/34 of the Indian Penal Code was instituted against the husband of the informant and her family members.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner no.1, above named, I am not inclined to grant anticipatory bail to the petitioner no.1, above named. Accordingly, the prayer of the petitioner no.1,



above named, for grant of anticipatory bail stands rejected. However, the petitioner no.1, above named, is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

So far as the petitioner nos.2 to 6, above named, are concerned, let the petitioner nos.2 to 6, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sasaram, in connection with Suryapura P.S. Case No.101 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

P.S./-

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