

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52776 of 2017

Arising Out of PS.Case No. -109 Year- 2017 Thana -CHAUSA District- MADHEPURA

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1. Ranvijay Chaudhary, Son of Ajit Chaudhary @ Kusheshwari Chaudhary,
2. Randhir Chaudhary S/o Ajit Chaudhary @ Kusheshwari Chaudhary,
3. Lakhpatri Chaudhary S/o Nakul Chaudhary,
4. Kanchan Chaudhary Son of Bhumi Chaudhary, All are R/o Village-
Fulaut (West), P.S.- Chausa (Fulaut), District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 29-11-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

This is the second attempt for grant of pre-arrest bail by
the petitioners in connection with Chausa (Fulaut) P.S. Case No.
109 of 2017 registered under Sections 147, 148, 149, 323, 307,
380, 353, 427, 504 and 506 of the Indian Penal Code. A similar
application made on their behalf was earlier rejected by this Court
vide order dated 19.09.2017 passed in Cr.Misc. No. 41512 of
2017.

It is submitted by the learned counsel for the petitioners
that prior to the aforesaid order dated 19.09.2017 passed in the
case of the petitioners, a co-accused Mithilesh Yadav @ Mithilesh



Kumar Yadav, whose case is identically situated to that of the petitioners, had moved for grant of pre-arrest bail before this Court vide Cr.Misc. No. 30763 of 2017 and the same was allowed by a coordinate Bench of this Court vide order dated 10.07.2017. He submitted that taking into consideration the aforesaid order dated 10.07.2017 passed in the case of the co-accused Mithilesh Yadav @ Mithilesh Kumar Yadav, this Court granted pre-arrest bail to two other co-accused Bibhuti Mahto and Munna Yadav vide order dated 03.10.2017 passed in Cr.Misc. No. 41974 of 2017. He submitted that unfortunately the order passed in the case of Mithilesh Yadav @ Mithilesh Kumar Yadav could not be brought to the notice of the Court while the earlier application for grant of pre-arrest bail of the petitioners was considered by this Court.

Learned counsel for the State has opposed the application for grant of pre-arrest bail of the petitioners. However, he admitted that co-accused Mithilesh Yadav @ Mithilesh Kumar Yadav having identical allegation has already been granted pre-arrest bail vide order dated 10.07.2017 passed in Cr.Misc. No. 30763 of 2017.

Regard being had to the submissions made above, in the event of arrest or surrender before the court below within four weeks from today, the petitioners are directed to be released on



bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Udakishunganj (Madhepura) in connection with Chausa (Fulaut) P.S.Case No. 109 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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