

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4077 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -SHAHKUND District- BHAGALPUR

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1. Balram Choudhary, S/o Kapoori Choudhary @ Kapoor Choudhary, Resident of Village - Purani Kherhi, P.S.- Shahkund, District- Bhagalpur.
 2. Gorelal Choudhary, S/o Shijawan Choudhary, resident of Village- Purani Kherhi, P.S.- Shahkund, District- Bhagalpur.
 3. Shintu Choudhary, S/o Shankar Choudhary, resident of Village- Purani Kherhi, P.S.- Shahkund, District- Bhagalpur.
 4. Pintu Choudhary, S/o Sharvan Choudhary, resident of Village- Purani Kherhi, P.S.- Shahkund, District- Bhagalpur.
 5. Pappu Choudhary, S/o Parshuram Choudhary, resident of Village- Purani Kherhi, P.S.- Shahkund, District- Bhagalpur.
 6. Sadanand Choudhary, S/o Parshuram Choudhary, resident of Village- Purani Kherhi, P.S.- Shahkund, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate.

For the Opposite Party/s : Mr. Bharat Lal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-03-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Shahkund P.S.

Case No. 149 of 2016 instituted for the offence under Sections 147, 148, 149, 323, 307, 337, 427, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

It has been submitted on behalf of the petitioners that co-accused have been granted anticipatory bail by this Court vide order dated 19.1.2017 passed in Cr. Misc. 557 of 2017. There is general and omnibus allegation against the petitioner Nos. 1, 3, 4, 5 and 6. There is allegation against petitioner No. 2 that he has assaulted Suresh Yadav



with rod but opinion regarding injury has been kept reserved. The injury report of Suresh Yadav has been enclosed as Annexure-5 series wherein doctor has found one lacerated wound measuring 1½” x ¼” x ¼” on left side head and opinion was kept reserved. From the injury report it appears that there is no repetition of blow.

It is mentioned in the impugned order that there is case and counter case between the parties and a Title Suit is pending between them. In the counter case injuries have been sustained by the co-accused of this case. It is mentioned in paragraph-3 of the bail petition that the petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Shahkund P.S. Case No. 149 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhagalpur, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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