

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14415 of 2017

Arising Out of PS.Case No. -31 Year- 2014 Thana -SAKRA District- MUZAFFARPUR

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Pradeep Kumar Chaudhary, Son of Sitaram Choudhary, resident of
Village- Pusa Bazar Madanpur Chhapra, Police Station- Pusa, District-
Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Chaubey Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 5 12-05-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Pusa P.S. Case
No. 101 of 2013 instituted for the offence under Sections 341,
323, 504, 506/34 of the Indian Penal Code and Sections 3 (i) (x)
of SC/ST Act.
- It has been submitted that the petitioner and the
informant are own cousin brother. He has been implicated in this
case on account of land dispute. There is no firearm injury on the
person of the informant.
- As per written report, the petitioner caused firearm
injuries to the informant in his *Pakhuri*.
- Case diary has been received.
- Learned A.P.P. has stated that there is no injury report



available in the case diary. It is mentioned in paragraph-135 of the case diary that inquiry was made by the Investigating Officer from Maa Janki Hospital regarding the injury report, but the same was not found. From paragraph-10 of the bail petition it appears that *Fardbeyan* of the injured has been recorded in the Max Hospital, Sheikhpura, Shastrinagar, Patna.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Sakra P.S. Case No. 31 of 2014, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-13-cum-Additional Chief Judicial Magistrate, Muzaffarpur, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case,



in that case, prosecution will be at liberty to move for cancellation
of bail of the petitioner.

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(Sanjay Priya, J)

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