

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40158 of 2017

Arising Out of PS. Case No.-33 Year-2017 Thana- ASARGANJ District- Munger

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1. Ganesh Choudhary, son of Late Basu Choudhary,
 2. Dhananjay Choudhary @ Dhananjay Kumar, Son of Ganesh Choudhary, Both resident of Village- Makwa, P.S. Asarganj, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. SRI ASHARAF ANSARI

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 09-11-2017 At the outset, learned counsel for the petitioners submits that petitioner no. 1, namely, Ganesh Choudhary, has been arrested during pendency of this application, and as such, this application has become infructuous as against petitioner no. 1.

In view of the above, the application stands dismissed as infructuous.

Petitioner apprehends arrest in connection with Asarganj P.S. Case No. 33 of 2017 registered for the offence punishable under sections 341, 323, 337, 504, 307/34 of the Indian Penal Code to which section 302 IPC was added later on.

As regards petitioner no. 2, learned counsel for the petitioner submits that he has been falsely implicated in this case due to admitted land dispute going on between the parties.



Nothing specific has been alleged against this petitioner. Moreover, the injuries sustained have been found to be simple in nature. He has no criminal antecedent.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner no.2, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Bibhuti Bhushan, Judicial Magistrate, 1st Class, Munger in connection with Asarganj P.S. Case No. 33 of 2017 subject to the conditions laid down under section 438(2) Cr.P.C.

(Arvind Srivastava, J)

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