

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46745 of 2017

Arising Out of PS. Case No.-361 Year-2017 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

=====

1. Shiv Ji Chaudhary son of Late Ram Chandra Chaudhary
2. Nathuni Chaudhary son of Late Ram Chandra Chaudhary
3. Ganga Chaudhary son of Late Ganga Chaudhary
4. Gujari Devi wife of Shivji Chaudhary
5. Lalita Devi @ Rita Devi wife of Nathuni Chaudhary, all residents of village-Bikrampur Bande, P.S. Samastipur Mufassil, Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rana Sanjay Kumar Singh
For the Opposite Party/s : Mr. SRI BINOD KUMAR 2

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

2 21-09-2017 Heard both sides.

Petitioners belong to one family. They pray for grant of anticipatory bail in Samastipur Mufassil P.S. Case No. 361 of 2017 registered under sections 354(B) and 379 IPC.

There is a counter version of the present occurrence in the shape of an FIR lodged by petitioner no.3 Ganga Chaudhary (Annexure-2).

Counsel for the petitioners submits that if both the FIRs are read, it shall appear that owing to land disputes there was scuffle between the parties in which both sides receive injuries but simple in nature. The statement in course of investigation



made by the wife of the informant does not make out a case under section 354 IPC. Petitioners have no criminal antecedents.

In the circumstances, let the petitioners above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- each, with two sureties of the like amount each, to the satisfaction of Additional Chief Judicial Magistrate-V, Samastipur in Samastipur Mufassil P.S. Case No. 361 of 2017 on condition that one of the bailors of each of the petitioners shall be their own/close family members. During the subsistence/currency of the privilege of bail if the petitioners are found involved in commission of such crime against other family members, the same shall be construed as a breach of condition of bail entailing cancellation thereof.

(Kishore Kumar Mandal, J)

HR/-

U		T	
---	--	---	--

