

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10600 of 2018

Arising Out of P.S.Case No. -2995 Year- 2015 Thana -BEGUSARAI COMPLAINT CASE District-
BEGUSARAI

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1. Bholu Chaudhary, S/o Late Ram Sagar Chaudhry,
2. Sumit Chaudhary @ Niwash Chaudhary @ Sumit Kumar Both R/o
Hazipur, P.S.- Barauni, Distt.- Begusarai.

.... Petitioner

Versus

1. The State of Bihar
2. Nilu Devi W/o Bhuwaneshwar Chaudhary, R/o Vill.- Hazipur, P.S.-
Barauni, District- Begusarai.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Shubhesh Pandey, Advocate

For the Opposite Parties : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL ORDER

2 27-02-2018 Heard.

The petitioners apprehend arrest in connection with
Complaint Case No.2995 of 2015 registered for an offence under
Sections 323, 149 and 354 of the IPC.

It has been submitted that petitioner no.1 is full brother
of the husband of the complainant and petitioner no.2 is son of
petitioner no.1. It has been further submitted that both parties are
litigation for their ancestral land. The present complaint has been
lodged by the wife of the full brother of the petitioner no.1. The
petitioner no.1 has filed a Title Suit No.3326 of 2013 for partition
of their ancestral land which is pending for



disposal before Sub Judge-Ist, Begusarai. The informant, her husband and family members on 06.10.2015 entered into the house of the petitioner no.1 and brutally assaulted, for which the petitioner no.1 lodged Begusarai P.S.Case No.363 of 2015. In the said case, the complainant got bail on 05.10.2015 and thereafter the present complaint case has been filed. The allegation of misbehaving with the complainant appears omnibus.

The learned APP opposed the submissions.

Considering the aforesaid facts and circumstances, prayer for anticipatory bail is allowed. Let the above named petitioners in the event of their arrest or surrender before the court below within six weeks from today 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 ACJM-IV, Begusarai in connection with Complaint Case No.2995C of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to



appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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