

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.57330 of 2017**

Arising Out of PS.Case No. -525 Year- 2015 Thana -DEHRI TOWN District- SASARAM  
(ROHTAS)

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1. Radheshyam Singh Yadav @ Radheshyam Yadav @ Radheshyam Singh,  
son of Late Sukhdev Chaudhary

2. Lakhan Chaudhary @ Ram Lakhan Choudhary, son of Sita Ram  
Chaudhary, Both are resident of Village- Kamaranganj, P.S.- Indrapuri  
(Dehri Nagar), District- Rohtas.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amar Nath Yadav

For the Opposite Party/s : Smt. Asha Kumari

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3 18-01-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Dehri Nagar  
(Indrapuri) P.S. Case No. 525 of 2015 instituted for the offence  
under Sections 341,323,307,379,427,385,120(B) of the IPC.

Counsel for the petitioner has submitted that there is  
allegation that petitioner and other 11 named persons and 20-25  
unknown persons damaged the Xylo vehicle of the son of the  
informant by which his son Vinay Kumar Choudhary went to  
P.P.C.L. Colony and assaulted him by means of sword and Rami  
on his head due to which his head got fractured and the blood was  
oozing and he also sustained injury on his finger. They also took  
away Rs. 1,00,000/- and Samsung mobile and golden chain of his  
son and friend's son. Thereafter, the son of the informant was



taken to hospital for treatment.

Learned counsel for the petitioners has submitted that instant case has been lodged against these petitioners due to previous enmity as the son of the informant namely, Vinay Kumar committed murder of the niece of the Suraj Choudhary for which Indrapuri P.S. Case No. 485 of 2015 has been lodged by the brother of the co-accused Suraj Choudhary, namely, co-accused Dharmu Choudhary against Vinay Kumar under Section 302,427,120(B) of the IPC on 19.10.2015. There is no any specific allegation against these petitioners. The occurrence has taken place on 18.11.2015 and the FIR has been lodged on 23.11.2015. The injury report has been enclosed as Annexure-2 to this petition, wherein, two injuries have been found on the persons of injured. Injured Vinay Choudhary sustained lacerated wound 3"x1/4"xskin deep over left side of the eye brow.

The counsel for the petitioners has submitted that some of the accused persons have been granted anticipatory bail by coordinate Bench of this Court vide order dated 22.12.2017 in Cr. Misc. No. 62110 of 2017.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six



weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Dehri Nagar (Indrapuri) P.S. Case No. 525 of 2015 to the satisfaction of learned S.D.J.M., Dehri, Rohtas at Sasaram subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (1) (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners 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 petitioners.

**(Sanjay Priya, J)**

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