

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42037 of 2018

Arising Out of PS.Case No. -232 Year- 2017 Thana -RAJPUR District- BUXAR

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1. Dilmani Choubey, Son of Srikant Choubey,
2. Dharmendra Choubey, Son of Late Kamal Choubey,
Both resident of Village- Hedua, P.S.- Rajpur, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Smt. Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-08-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Rajpur P.S.**
Case No. 232 of 2017 instituted for the offence under Sections
341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

In the written report it is alleged that petitioners came
to the house of the informant and took brother of the informant
with them on the plea that their father is ill. Thereafter, brother of
the informant did not return. The informant went to the house of
the petitioners and found the door closed from inside and his
brother was crying loudly. The informant knocked the door, then
petitioner No. 1 opened the door and pointed country made pistol
on the chest of father of the informant. Thereafter, the informant



made request to release his brother. It is further alleged that on the order of Ramakant Choubey, petitioner No. 1 assaulted brother of the informant with iron rod on his head causing bleeding injury. Co-accused Vishal Choubey assaulted brother of the informant with *lathi* due to which shoulder of brother of the informant was fractured. He fell down on the ground and then Srikant Choubey brutally assaulted on nose and mouth etc. of the brother of the informant causing serious injury. Thereafter, petitioner No. 2 assaulted brother of the informant with his leg on the chest and also with *lathi*. In the meantime, police arrived and brother of the informant was taken to the Hospital in unconscious condition from where he was referred to Varanasi for better treatment.

Case diary has been received.

The injury report of brother of the informant is available in the case diary wherein the Doctor has found three injuries on vital parts of the body out of which one injury found on the head to be grievous in nature caused by hard and blunt substance.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.



Petitioner may surrender before the court below and
make prayer for regular bail.

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(Sanjay Priya, J)

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