

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68317 of 2018

Arising Out of PS. Case No.-44 Year-2018 Thana- BARURAJ District- Muzaffarpur

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1. Kishori Choudhary, Son of Ramjivan Choudhary.
 2. Amod Kumar, Son of Kishori Choudhary,
 3. Pramod Choudhary, @ Pramod Kumar Chaudhary, S/o Kishori Chaudhary. Both resident of Village- Manohar Chhapra, P.S.- Baruraj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan
For the Opposite Party/s : Mr. Sri Nityanand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 14-12-2018 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Baruraj PS Case No. 44/2018 for the offence under Sections 341, 323, 307, 504, 506, 509, 379, 34 of the Indian Penal Code.

Considering the allegation levelled against petitioner no. 1 Kishori Choudhary, the Court is not inclined to grant him the privilege of anticipatory bail. It is accordingly rejected.

However, rejection of his prayer will not cause prejudice the case of petitioner no.1 if he surrenders and prays for grant of regular bail in the concerned court below. The court below is directed to dispose of his application on the same day



on its own merit without being influenced by rejection of his prayer for anticipatory bail by this Court. It goes without saying that while deciding the application for regular bail on behalf of petitioner no.1, the Court below will consider all relevant facts including the compromise reached between the parties.

In so far as petitioner nos. 2 and 3 above named are concerned, there is no specific overt act against them and they have no criminal antecedent.

Considering the aforesaid, this application so far as petitioner nos. 2 and 3 are concerned is allowed. Accordingly, in the event of arrest or surrender before the court below within a period of one month from today, petitioner nos. 2 and 3 above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st Class, Muzaffarpur in connection with Baruraj PS Case No. 44/2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Upadhyay, J)

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