

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62636 of 2017

Arising Out of PS.Case No. -67 Year- 2017 Thana -BARABAR TOURIST District- JEHANABAD

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1. Awadhesh Chaudhary, Son of Ram Prit Chaudhary,
2. Rajkishor Yadav, Son of Kameshwar Yadav @ Kameshwar Prasad, Both
resident of Village- Koyari Bigha, Police Station- Barabar Paryatan
Tourism (Bishunganj O.P.), District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Smt. Anita Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor of the State.

The petitioners are apprehending their arrest in
connection with Barabar Prayatan/Toursim (Bishunganj O.P.) P.S.
Case No. 67 of 2017 registered for offences punishable under
Sections 147, 148, 149, 341, 323, 504, 307 and 353 of the Indian
Penal Code.

The allegation is regarding one Ramprit Choudhary having
sustained injury due to rash and negligent driving by the driver of
one Pick-up van, bearing Reg. No. BR-01-GF-6545 whereafter,
the said vehicle was detained by the informant's side. It has
further been alleged that accused persons tried to take away the
vehicle but upon protest made by the villagers, they could not
succeed in their plan and thereafter they attacked on the police
force, which came thereto to take possession of the said vehicle.



Learned counsel for the petitioners submits that the fact is that minor accident had taken place where after a compromise was reached between the parties and the vehicle was handed over to the owner of the vehicle on payment of Rs. 10,000/- to the injured, Ramprit Choudhary and others in presence of villagers. It is further submitted that no specific allegation of any overt act has been leveled against the petitioners and the petitioners have a clean antecedent.

Having regard to the facts and circumstances of the case, I find that as far as the petitioners are concerned, at least they are entitled for grant of anticipatory bail.

Accordingly, above named petitioners are directed to be released on anticipatory bail on furnishing bail in the event of their arrest /surrender within six weeks from today of furnishing bail bonds of Rs. 10,000/-(Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Shri Umesh Prasad, the learned Judicial Magistrate, 1st class, Jehanabad in connection with Barabar Prayatan/Toursim (Bishunganj O.P.) P.S. Case No. 67 of 2017, subject to the conditions enumerated under Section 438 (2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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