

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70700 of 2018

Arising Out of PS. Case No.-205 Year-2017 Thana- BIRAUL District- Darbhanga

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1. Kantir Chaoudhary, S/o Late Laxmi Choudhary,
 2. Shobhakant Choudhary, S/o Kantir Choudhary,
 3. Gautam Chaoudhary @ Gautam Kumar Choudhary @ Gutam Kumar, S/o Shobhakant Choudhary,
 4. Rahul Choudhary @ Rahul Kumar Choudhary, S/o Radhakant Choudhary, All resident of Village- Bauari, P.S.- Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Smt. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2018 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,379,308,447,504 and 506/34 of the IPC.

The prosecution case is that on 20.5.2017 at around 1 P.M. the accused persons were fixing pillars on the land of the informant's share. On protest being made, on the order of petitioner no. 1, petitioner nos. 2 to 4 assaulted the informant and his father with an iron rod.

It is submitted by learned counsel for the petitioners that the accusation has been levelled of indiscriminate assault, but only two injuries have been found – one abrasion and one



incised wound on left side scalp, though the injuries of the informant and his father have been found to be simple. It is further submitted that there is no accusation of causing any injury by a sharp cutting weapon. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioners.

Considering the genesis of the occurrence and the accusation not being corroborated by the medical report, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Benipur in connection with Biraul P.S. Case No. 205 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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