

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17934 of 2018

Arising Out of PS.Case No. -499 Year- 2017 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

=====

1. Megha Chaudhary, S/o Asesar Chaudhary,
2. Asesar Chaudhary S/o late Jagannath Chaudhary,
3. Ganesh Chaudhary S/o Chchatri Chaudhary,
4. Chchatri Chaudhary S/o Late Jagannath Chaudhary,
5. Jokhu Chaudhary S/o late Ramdeo Chaudhary, All Nos. 1 to 5 are R/o
Village- Sakhubania, P.S.- Shikarpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Bhagat

For the Opposite Party/s : Mr. Bimlesh Kumar Pandey
Mr. Mritunjay Kumar Nirala

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-06-2018 Heard the parties.

Learned counsel for the petitioner has submitted that the petitioner no.4 (Chchatri Chaudhary) has been arrested, as such application against his has become infructuous.

In view of submission of the learned counsel for the petitioners, as such let the application against petitioner no.4 be dismissed as withdrawn.

The petitioners are apprehending their arrest in connection with Shikarpur P.S.Case no.499 of 2017 , registered for offences punishable under Sections 147, 149, 323, 342, 324, 325, 326, 379 of the Indian Penal Code.



So far petitioner nos. 1, 2, 3 and 5 are concerned the allegation is that they have assaulted the informant and there is also allegation against Ramaseray Chaoudhary that he cut the ear of the informant.

Submission of the learned counsel for the petitioners is that there is general and omnibus allegation against the petitioner nos. 1 to 3 and 5 and no specific allegation has been attributed against them.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail that they have criminal antecedent.

Further submission of the learned counsel or the petitioner is that they have filed Supplementary Affidavit today, in which he has stated that one case is related to the same occurrence and in another case he is not accused.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner Nos.1 Megha Chaudhary, 2. Asesar Chaudhary, 3 Ganesh Chaudhary and 5. Jokhu Chaudhary in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to



the satisfaction of the learned C.J.M., West Champaran, Bettiah in connection with Shikarpur P.S.Case No.499 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

