

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57948 of 2018

Arising Out of PS. Case No.-43 Year-2018 Thana- JURAWANPUR District- Vaishali

Satyendra Choudhary son of Sri Bhudeo Choudhary, resident of Village-
Purbi Paharpur, Police Station- Jurawanpur in the district of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 29-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 148, 149, 341, 323, 337, 338, 307, 427, 504 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation is that the accused persons came on the roof of the house of co-accused Mithilesh Chaudhary and co-accused Mithilesh Chaudhary made firing from his gun, due to which four grand daughters of the informant have sustained gun shot injuries and other accused persons pelted stones and bricks towards the house of the informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation



of tampering of witnesses alleged against the petitioner. As per the allegation, co-accused Mithilesh Chaudhary is said to have fired, due to which the grand daughters of the informant sustained injuries. In the case diary, there is only one injury report of Nishu Kumari. The injury is said to have been caused by hard and blunt substance and the nature of injury is simple. Except for one injury report, there is no other injury report in the case diary. Injury report of Nishu Kumari does not support the allegations made in the F.I.R. So far the petitioner is concerned, no injury is attributed against him. He is alleged to have participated in brick batting. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. No offence under Section 307 of the I.P.C. is made out. Other offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of learned Additional Chief
Judicial Magistrate VIII, Vaishali at Hajipur in connection with
Jurawanpur P.S. case No.43 of 2018 giving rise to G.R. No.5093
of 2018, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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