

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60218 of 2018

Arising Out of PS.Case No. -51 Year- 2018 Thana -AKBARPUR District- NAWADA

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1. Ram Bilash Chaudhary son of Kamal Chaudhary
2. Dharmendra Chaudhary son of Late Baleshwar Chaudhary
3. Nitish Chaudhary son of Samsam Chaudhary
4. Tuntun Chaudhary son of Ashok Chaudhary
5. Pramod Chaudhary son of Late Shrawan Chaudhary @ Late Sargun Chaudhary
6. Haro Lal Chaudhary @ Hare Lal Chaudhary son of Late Shrawan Chaudhary @ Late Sargun Chaudhary All are resident of Village - Parto Karhari, Police Station Akbarpur, District - Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-10-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 323, 324, 341, 307, 337, 354, 379, 427, 504, 506 of the Indian Penal Code and Section-4 of POCSO Act.

The prosecution case, in brief, is that in course of celebrating Agza, 50 unknown persons surrounded the prosecution party and mercilessly assaulted with different weapons, in which, some persons sustained injuries.

It has been submitted on behalf of the petitioners that the except petitioner No. 1 there is no criminal antecedent against the petitioners.



There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. There is case and counter case between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands. The injury is said to be simple in nature. No offence u/S 307 of the Indian Penal Code is made out.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/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 District & Sessions Judge-Ist, Nawada in connection with Spl (P) 14 of 2018 (POCSO-05/18) arising out of Akbarpur P.S. Case No. 51 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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