

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67474 of 2018

Arising Out of PS. Case No.-241 Year-2018 Thana- NAANPUR District- Sitamarhi

Sushil Chaudhari @ Sushil Chaudhary Son of Late Ram Nandan Chaudhari
Resident of Village-Inamat Bhawar @ Ilmat, Police Station Nanpur, Distt.-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Prakash Shharma

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 307, 379, 504, 506, 411/34
of the Indian Penal Code.

Allegation against the petitioner is that he assaulted
the informant with butt of country made gun, due to which he
sustained injury.

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 against the petitioner. The
petitioner has falsely been implicated in the present case. As per
the F.I.R., butt of the country made gun and pistol were used for



the purpose of assault. The country made gun or pistol has not been fired in course of occurrence. This indicates that there was no intention to commit murder. In course of investigation the witnesses have stated that assault was made by lathi, danda and iron rod. There is material contradiction in the present case.

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 Sub Divisional Judicial Magistrate (Pupri), Sitamarhi in connection with Nanpur P.S. case No.241 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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