

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17967 of 2018

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

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1. Ramaseray Choudhary,
2. Ghuna Chaudhary, Both No. 1 and 2 are Sons of Chchatri Chaudhary,
3. Heera Chaudhary S/o Mokhatar Chaudhary, All No. 1 to 3 are R/o
Village- Sakhubania, P.S.- Shikarpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Bhagat

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

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

04 17-05-2018

Heard learned counsel for the petitioners and learned

APP for the State.

The petitioners seek bail in Shikarpur P.S. Case No.
499 of 2017 registered under Sections 147, 149, 323, 342, 324,
325, 326, 379 and 307 of the Indian Penal Code.

Petitioners are said to have assaulted the informant
by means of lathi and petitioner no.1-Ramaseray Choudhary
chopped off the left ear of the informant.

It is submitted by learned counsel for the petitioners
that no such occurrence as alleged ever took place. The petitioners
have been falsely implicated in this case due to animosity. The
allegation of assaulting the informant levelled against the
petitioners is not specific rather general and omnibus in nature.



- 2 -

Petitioners have no criminal antecedent have been languishing in custody since 20.12.2017.

On the other hand, learned counsel for the informant and learned A.P.P. for the State vehemently opposing the prayer of bail specifically against petitioner no.1-Ramaseray Choudhary submitted that petitioner no.1-Ramaseray Choudhary has chopped off the left ear of the informant.

In the facts and circumstances of the case, the bail petition of petitioner no.1-Ramaseray Choudhary is rejected at this stage and petitioner no.2-Ghuna Chaudhary and petitioner no.3-Heera Chaudhary are directed to be enlarged on bail 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 Chief Judicial Magistrate, West Champaran at Bettiah in connection with Shikarpur P.S. Case No.499 of 2017. However, petitioner no.1 may renew his prayer for bail after four months from today.

(Prakash Chandra Jaiswal, J)

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