

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8508 of 2019

Arising Out of PS. Case No.-131 Year-2017 Thana- KARAHGAR District- Rohtas

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1. Ram Pravesh Choudhary son of Late Ram Chanar Choudhary
 2. Ram Nivash Choudhary son of Late Ram Chanar Choudhary
 3. Dipak Kumar @ Dipak Chaudhary son of Ram Nivash Choudhary
 4. Tamatar @ Taamatar Choudhary son of Ram Pravesh Choudhary
 5. Saroj Choudhary son of Ram Nivash Choudhary
All Resident of Village-Rampur Bagicha Tola, PS- Kargahar, Distt- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-04-2019 This is an application for grant of anticipatory bail in connection with Kargahar P.S. Case No. 131 of 2017, disclosing offences under Sections 341, 323, 379/34 of the Indian Penal Code.

Allegation against the petitioners is that they entered inside the house of the informant and looted away the articles and petitioner no.1 has assaulted the informant on head and petitioner no.2 assaulted Sunita Kumari causing injury to her.

Submission of learned counsel for the petitioners is that earlier to lodging of this case, the petitioners have also lodged a case of kidnapping of minor daughter against the informant and his family members and for that the present case



has been lodged and police after investigation has not submitted the charge-sheet under Section 307 of the Indian Penal Code rather under Sections 354 and 379 of the Indian Penal Code.

Heard learned A.P.P. also, who opposed the prayer for anticipatory bail of the petitioners on the ground that petitioners were given privilege of Section 41(A) of the Cr.P.C. and as such, they should surrender and make prayer for regular bail.

Having heard both sides, in view of the facts and circumstances of the case as stated above, let the petitioners surrender before the court below within a period of six weeks and pray for regular bail, which will be considered on the basis of materials available on record and also considering the fact that earlier they were given the benefit of Section 41(A) of the Cr.P.C. and they have not misused the same and the learned court below after considering the same shall dispose of the prayer for bail of the petitioners, if possible on same day.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/SKSuman.

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