

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 7912 of 2019

Arising Out of PS. Case No.-261 Year-2018 Thana- Biraul District- Darbhanga

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1. Amar Kant Chaudhary, aged about 35 years, Male, Son of Sri Suresh Chaudhary
 2. Suman Chaudhary, aged about 32 years, Male, Son of Sri Suresh Chaudhary,
Both are Resident of village – Pokhram, P.S. - Biraul, District – Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dharendra Nath Jha

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 05-04-2019 Heard Sri Dharendra Nath Jha, learned counsel for
the petitioners and Sri Navin Kumar Pandey, learned Addl.
Public Prosecutor.

Two petitioners, apprehending their arrest in Biraul P.S. Case No. 261 of 2018 registered for the offence under Sections 341, 447, 323, 324, 307, 504, 34 of the Indian Penal Code, 1860 (for short “I.P.C.”), have prayed for grant of bail in the event of their arrest or surrender.

Learned counsel for the petitioners, by way of referring to F.I.R., submits that the fact disclosed in the F.I.R. ofcourse, *prima facie*, does not show application of Section 307 of the I.P.C., but to the reasons best known to the police, F.I.R.



has been lodged under Section 307 of the I.P.C. also. Besides this, allegation of snatching golden chain and wrist watch was not taken note of by the police and this is the reason that Section 379 of the I.P.C. has not been incorporated in the F.I.R.

Besides hearing, I have also perused the material on record and after going through the same, I am of the opinion that it is a fit case for extending the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let both petitioners namely Amar Kant Chaudhary and Suman Chaudhary 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 learned A.C.J.M., Biraul (Darbhanga) in connection with Biraul P.S. Case No. 261 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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