

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11393 of 2019

Arising Out of PS. Case No.-118 Year-2018 Thana- RAUTA District- Purnia

1. Gautam Choudhary @ Gotai Chaudhary @ Dhotai Chaudhary, aged about 50 years (Male), son of Late Chathauri Choudhary.
2. Dhaneshwari Devi, aged about 40 years (female), Wife of Gautam Choudhary @ Gotai Choudhary @ Dhotai Choudhary.
Both are resident of Village -Artaha, P.S.- Rauta, Distt - Purnea
3. Shila Devi @ Shilo Devi, aged about 40 years (Female), Wife of Surendra Choudhary, Resident of Village - Artaha (Karil Bari), P.S.- Rauta, Distt - Purnea.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan

For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-02-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Rauta P.S. Case No. 118 of 2018, registered for the offence under Sections 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

Allegation has been made that while the informant side were playing “Hukka Pati” the petitioners came there and protested for the same and started abusing and assaulting them. It has also been alleged that while the informant was going to



Rauta to inform this occurrence to his mother, the petitioner no.1, namely, Gotai Chaudhary and two unknown persons came from motor-cycle and caught him and petitioner no.1, Gotai Chaudhary with an intention to kill him pointed knife upon his neck, due to which, he sustained injury on his neck and mouth. When the informant started raising alarm, the petitioner no.1, Gotai Choudhary, gave iron rod blow on his neck from behind, due to which he fell down in unconscious condition. Whereafter, he was taken to the Hospital and when he recovered he lodged the F.I.R. against the petitioners.

Looking to the entire facts and circumstances of the case, let the above-named petitioner nos. 2 and 3, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnea, in connection with Rauta P.S. Case no. 118 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

So far the bail of petitioner no.1 is concerned, the same is rejected. However, if the petitioner no.1 surrenders



before the Court below within three weeks from today and prays
for regular bail, the Court below will consider the same and pass
appropriate order on the same day without being influenced by
the order of this Court.

(Shivaji Pandey, J)

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