

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.19005 of 2019**

Arising Out of PS. Case No.-825 Year-2018 Thana- KHAGARIA District- Khagaria

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1. ROUSHAN CHOUDHARY  
2. Goutam Choudhary  
Both sons of Late Banarsi Choudhary @ Banarshi  
3. Rabish Kumar  
4. Vibhishan Kumar  
Both sons of Roushan Choudhary  
All Resident of Village - Kashimpur, P.S.- Muffasil, District- Khagaria  
... .. Petitioner/s
- Versus
- The State of Bihar Bihar  
... .. Opposite Party/s
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**Appearance :**

For the Petitioner/s : Mr.Binod Kumar  
For the Opposite Party/s : Mr.Manish Kumar No2

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      06-05-2019                      At the very outset, submission of the learned counsel  
for the petitioner is that the petitioner no.2 Goutam Choudhary  
has been arrested.

In such view of the matter, allegation against  
petitioner no.2 has been dismissed as withdrawn.

So far petitioner nos. 1, 3 and 4 are concerned, they  
are apprehending their arrest in connection with Khagaria  
(Mufassil) P.S.Case No.825 of 2018 (G.R.No.3298 of 2018) ,  
registered for offences punishable under Sections 341, 323, 379,  
506/34 of the Indian Penal Code and Section 27 of the Arms  
Act.

Allegation against them is that they were forcibly took  
away 10 tailors of soil from the land of the informant and when  
he protested the petitioner nos.1 assaulted by *Kudal* and there is



also allegation that another accused Gautam Choudhary took Rs.2,000/- and made firing.

Submission of the learned counsel for the petitioners is that the allegation of snatching of Rs.2,000/- is against Gautam Choudhary and not against the petitioners.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner no.1. Roushan Choudhary, 3. Rabish Kumar and 4. Vibhishan Kumar in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Khagaria in connection with Khagaria (Mufassil) P.S.case No.825 of 2018 G.R.No.3298 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

**(Vinod Kumar Sinha, J)**

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