

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22779 of 2019

Arising Out of PS. Case No.-164 Year-2018 Thana- BHAGWANGANJ District- Patna

1. Upendra Chaudhary, aged about 30 years, Male, Son of Ram Prasad Chaudhary, Resident of Village- Shivchak, P.S.- Bhagvanganj, Masaudhi, District - Patna.
2. Munni Chaudhary @ Muni Kumar, aged about 20 years, Male, Son of Lalan Chaudhary, Resident of Village- Shivchak, P.S.- Bhagvanganj, Masaudhi, District- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Ram Narayan Brahmachari, Advocate
For the Opposite Party	:	Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 01-08-2019 Learned counsel for the petitioners informs that during pendency of this application, petitioner no. 1, namely, Upendra Chaudhary has been arrested by the police and this application, for grant of anticipatory bail, against him has become infructuous. Accordingly, this application against petitioner no. 1 is dismissed being infructuous.

Heard learned counsel for the petitioner no. 2 and learned Additional Public Prosecutor for the State.

Petitioner No. 2 apprehends his arrest in connection with Bhagvanganj P. S. Case No. 164 of 2018 registered for the offences punishable under Sections 341, 323, 307, 354, 448 and 506/34 of the Indian Penal Code.



The allegation against the petitioner no. 2, as per F.I.R., is that he along with other accused persons assaulted the husband and son of the informant causing them injury. Learned counsel for the petitioner further submits that there is no specific allegation against the petitioner no. 2 which is evident from perusal of the first information report. The allegation of assault is against co-accused Raju Chaudhary and Dev Pujan Chaudhary and both the co-accused persons have already been granted privilege of anticipatory bail vide order dated 07.05.2019 passed in Cr. Misc. No. 29717/2019 by a co-ordinate bench of this court.

After having heard learned counsel for the petitioner no. 2 and learned counsel appearing on behalf of the State as well as taking into consideration the fact that no specific allegation of assault has been levelled against the petitioner no. 2, namely, Munni Chaudhary @ Muni Kumar and the injuries found on the person of the victim are simple in nature, accordingly, I am inclined to grant anticipatory bail to the petitioner no. 2, namely, Munni Chaudhary @ Muni Kumar.

Let, the petitioner no. 2, Munni Chaudhary @ Muni Kumar, in the event of his arrest or surrender before the court below within a period of four weeks from the date of



receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XV, Patna in connection with Bhagvanganj P. S. Case No. 164 of 2018 subject to the conditions as laid down under Section 438(2) of Cr. P. C.

(Anil Kumar Sinha, J)

Rajeev Kumar/-

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