

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41692 of 2019

Arising Out of PS. Case No.-86 Year-2019 Thana- UCHKAGAON District- Gopalganj

1. SUDAMA CHAUDHARY @ SUDAMA CHOUDARY Son of Late Bijili Chaudhary Resident of Village - Ujara Narainpur, P.S.- Uchakagaon, District - Gopalganj.
2. Satyendra Chaudhary @ Satendra Yadav Son of Sudama Chaudhary Resident of Village - Ujara Narainpur, P.S.- Uchakagaon, District - Gopalganj.
3. Sikandar Chaudhary @ Sikandar Kumar Yadav Son of Sudama Chaudhary Resident of Village - Ujara Narainpur, P.S.- Uchakagaon, District - Gopalganj.
4. Chandeshwar Chaudhary @ Chaneshwar Chaudhary @ Chanesar Chaudhary Son of Late Bijili Chaudhary Resident of Village - Ujara Narainpur, P.S.- Uchakagaon, District - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-07-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147,148,323, 324, 341, 436, 498(A), 406 and 504 IPC registered in connection with Uchakagaon P.S. Case No. 86/2019.

3. It is submitted that the petitioners have been falsely implicated and the accusations are general and omnibus in nature without any overt act alleged individually. The petitioners are not the immediate family members of the informant rather they are the uncle in-law, his two sons and her father-in-law respectively. The informant was married as far back as in the year 2001 and this is the first formal complaint/FIR of its nature filed by the informant in almost two decades since her marriage. The informant has also filed an



informatory petition no. 912 of 2018 under Section 107 Cr.P.C. against the petitioner nos. 1 and 4 in the Court of learned ACJM IX, Gopalganj in which it has been reported by the police that the informant does not live harmoniously and prefers to live separately from her husband and she is in the habit of making false allegations against their gotia. The petitioner nos. 1 and 4 are accused in one prior case and petitioner no. 2 and 3 claim clean antecedents.

4. Be that as it may, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Gopalganj, in connection with Uchakagaon P.S. Case No. 86/2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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