

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44783 of 2019

Arising Out of PS. Case No.-33 Year-2019 Thana- PARAIYA District- Gaya

UPENDRA CHAUDHARY Son of Sri Dilip Chaudhry Resident of Village -
Bagahi, P.S.- Paraiya, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 22-07-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Paraiya P.S. Case No.33 of 2019 registered under Sections 147, 148,
149, 323, 307, 225 and 353 of the Indian Penal Code besides Section
27 of the Arms Act.

The accusation is that the informant along with other
police personnel proceeded for village-Bagahi from the police station
for the arrest of Ranjan Chaudhary against whom theailable
warrant of arrest was issued. When the informant and other police
personnel reached there and made raid at the house of Ranjan
Choudhary, in that course, on seeing the police party, Mahendra
Choudhary, succeeded to flee away from his house. On search of the
house of Mahendra Choudhary, one gallon of illicit liquor was



recovered. At that time, 29 persons, named in the F.I.R., including the petitioner and 30-40 unknown surrounded the house of Mahendra Choudhary and started pelting stone in which several police personnel sustained injury.

Learned counsel for the petitioner submits that the petitioner along with 28 others, named in the F.I.R., has been implicated in this case being the co-villager of Mahendra Choudhary without any specific overt act. Further submission is that while the petitioner is accused in one more case, as detailed in paragraph-3 to this application, which was lodged at the instance of the pattidar of the petitioner, but, in that case, the petitioner is on bail.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-III, Gaya, in connection with Paraiya P.S. Case No.33 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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