

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74043 of 2018**

Arising Out of PS. Case No.-560 Year-2018 Thana- KHAGARIA District- Khagaria

Neeraj Chaudhary @ Sonu, Son of Ajay Chaudhary, Resident of Village- Jai Prakash Nagar, Ward No.23, Khagaria P.S. and District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bhim Kumar Yadav

For the Opposite Party/s : Mr.Sri Aditya Narayan Singh 1

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

ORAL ORDER

6      07-05-2019                      Heard learned counsel for the petitioner, learned counsel for the informant and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Khagaria P.S. Case No. 560 of 2018, registered under Sections 341, 323, 379 and 307/34 of the Indian Penal Code.

The accusation is that in the morning of 18.08.2018, informant, Chotu Chaudhary, had gone to his toilet then saw toilet sheet was filled up through bricks, on which, he made query then Ajay Chaudhary, Niraj Choudhary (petitioner) and Dhiraj Choudhary asked the informant that the house is not belonging to him. Thereafter, informant made protest then all three persons started to assault and press his neck. In the meantime, petitioner gave sickle blow at his neck and snatched



the gold chain. On raising alarm, his father and brother, Anil Choudhary and Jitendra Choudarhy came to save him then petitioner shot fire at his father, Anil Choudhary, but the same did not hit. Earlier, his father, Anil Choudahry, was shot fire, regarding which, case is pending.

Learned counsel for the petitioner submits that, in fact, petitioner and the informant are next door neighbour and due to land dispute, quarrel took place but with ulterior motive the present case has been lodged with false allegation. Further submissions is that due to land dispute several cases have been lodged by the informant, in which, petitioner is on bail. Moreover, one injury as found on the person of the informant, is simple in nature.

Learned counsel for the informant has opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria, in connection with Khagaria P.S. Case No. 560 of



2018, subject to the condition as laid down under Section 438(2)  
of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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