

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.49069 of 2019

Arising Out of PS. Case No.-84 Year-2019 Thana- NARHATT District- Nawada

YAMUNA CHAUDHARY, aged about 43 years, Male, S/o Late Mahavir Chaudhary, Resident of Village- Jarhiya, P.S.- Narhat (Sitamarhi O.P.), District- Nawada ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Krishna Deo Raj, Adv.

For the Opposite Party : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 06-08-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Narhat (Sitamarhi) P.S. Case No. 84 of 2019 for the offences alleged under Sections 147, 148, 149, 323, 324, 325, 353, 307, 379 and 386 of the Indian Penal Code.

The accusation is that on receiving secret information about gathering of villagers of Jarhiya at Shankar Bigha variously armed with weapons, the informant, along with police personnel, reached there. On seeing the police party some villagers came out from their houses and informed that several villagers of Jarhiya, in the leadership of Susheel Choudhary, had come and assaulted the villagers and also damaged the windows and doors of their houses. Thereafter, the informant along with police personnel, reached at village, Jarhiya, where without obtaining the permission they were playing D.J. music. When the informant made query about the occurrence of Shankar Bigha, then, they started abusing to police party and



caused assault through lathi, stick and brick. At that time, 34 persons were identified by the local Chowkidar.

The submission of the learned counsel for the petitioner is that petitioner is named in the first information report, but, no overt act has been alleged against the petitioner. Petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Narhat (Sitamarhi) P.S. Case No. 84 of 2019 shall be released on pre-arrest bail on 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, VI, Nawada, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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