

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54352 of 2019

Arising Out of PS. Case No.-143 Year-2019 Thana- JOGAPATTI District- West Champaran

1. SANJAY CHAUDHARY, aged about 35 years, Male, Son of Chandrika Chaudhary, Resident of Village- Siswaniya, beside Gas Godown, P.S.- Yogapatti, District- West Champaran
2. Umesh Chaudhary, aged about 28 years, Male, Son of Chandrika Chaudhary, Resident of Village- Siswaniya, beside Gas Godown, P.S.- Yogapatti, District- West Champaran
3. Malu Chaudhary, aged about 24 years, Male, Son of Chandrika Chaudhary, Resident of Village- Siswaniya, beside Gas Godown, P.S.- Yogapatti, District- West Champaran ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 29-08-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Yogapatti P.S. Case No. 143 of 2019 for the offences alleged under Sections 341, 323, 385, 420, 504 and 506/34 of the Indian Penal Code.

The accusation is that 9 katha and 15 dhur land was purchased in the name of Manshi Choudhary, elder brother of the informant, Jagdish Choudhary, which was partitioned for convenience in between the informant and his two brothers, uncle, Manshi Choudhary, and the same was detailed in a



Notary Public on which the informant and his two brothers have put their thumb impression, receipt was also being issued separately between the informant and two brothers. After the death of Manshi Choudhary, his sons, Gorakh Choudhary and Chhotelal Choudhary, sold out of 5 katha 8 dhur land of the share of the informant, to Chankrika Choudhary, on which the informant had cultivated sugar cane crop. The petitioners variously armed with weapons came at sugar cane field started to abuse giving threatening to remove the sugar cane crop.

The submission of the learned counsel for the petitioners is that in fact petitioners are sons of Chandrika Choudhary, who is said to have purchased 3 katha 5 dhur land from son of Manshi Choudhary, but, due to ulterior motive, petitioners have been falsely implicated in this case.

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 petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Yogapatti P.S. Case No. 143 of 2019 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the



like amount each to the satisfaction of the Chief Judicial Magistrate, West Champaran at Bettiah, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

U		T	
---	--	---	--

