

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49199 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- JADOPUR District- Gopalganj

1. Meghnath Choubey, Son of Late Kashi Nath Choubey Resident of Village-Barai Patti, P.S-Jadopur, District-Gopalganj.
2. Vashishth Choubey, Son of Late Kashi Nath Choubey Resident of Village-Barai Patti, P.S-Jadopur, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-08-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Jadopur P.S. Case No.28 of 2019 (G.R. No.826 of 2019) for the offence punishable under Sections 147, 149, 341, 323, 325, 307, 504 and 506 of the Indian Penal Code.

The allegation against the petitioners, as mentioned in the FIR is that the petitioners along with other accused persons assaulted the informant and other persons due to dispute pertaining to construction of Hanuman Mandir.

Mr. Sanjay Kumar Pandey No.5, learned counsel appearing for the petitioners submits that from perusal of the



First Information Report, it would be evident that no specific overt act has been assigned to the petitioners and petitioners are only named in the First Information Report and aged about 70 years. Learned counsel further submits that injury caused to the informant and others are simple in nature and in support of his argument, learned counsel has relied upon Annexure-3, injury report of the informant. Learned counsel further submits that there is counter case also lodged for the same incident by the person claiming land in question bearing Jadopur P.S. Case No.27 of 2019.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that no overt act has been alleged against the petitioners and further injury caused to the informant and others are simple in nature, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction



of learned Judicial Magistrate Ist Class, Gopalganj, subject to
the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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