

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51075 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- DHANSOI District- Buxar

1. RANG BAHADUR CHOUDHARY Son of Late Govind Choudhary Resident of Village - Kaithahar Khurd (Nadiya Tola), P.S.- Dhansoi, Dist.- Buxar.
2. Upendar Choudhary Son of Vakil Choudhary Resident of Village - Kaithahar Khurd (Nadiya Tola), P.S.- Dhansoi, Dist.- Buxar.
3. Ram Prasad Choudhary Son of Govind Choudhary Resident of Village - Kaithahar Khurd (Nadiya Tola), P.S.- Dhansoi, Dist.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Dhansoi P.S. Case No.66 of 2019 registered under Sections 147, 148, 149, 341, 323, 354(B), 307 and 448 of the Indian Penal Code besides Section 27 of the Arms Act.

The accusation is that six persons, named in the F.I.R., including the petitioners, variously armed with weapons, making firing with Katta (country made pistol) entered into the house of the informant and outraged the modesty of his wife Savita Devi. At that time, they took Munna Kumar, the son of



the informant, to the river, after dragging him, and caused assault to him through butt of the rifle, due to which the son of the informant fell down having become unconscious. Earlier, the son of the informant was also assaulted by the aforesaid persons regarding which Dhansoi P.S. Case No.60 of 2019 was also instituted.

Learned counsel for the petitioners submits that the petitioners and the informants are next door neighbours and due to dispute of draining out of the water, hot exchange of words took place in between them in which the son of the informant sustained injury. Further submission is that it has come in the case diary, which is detailed in the impugned order dated 17.07.2019 passed in A.B.P. No.706 of 2019 by the court of the Additional Sessions Judge-III, Buxar, whereby the prayer of the petitioners for grant of privilege of pre-arrest bail has been rejected that while the son of the informant sustained four injuries but all the injuries as found on the person of the son of the informant are simple in nature. Further submission is that Dhansoi P.S. Case No.60 of 2019 was also instituted by the informant of the present case against the petitioners and others regarding the same dispute in which the petitioners are on bail.

Having considered the facts and the circumstances of



the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-III, Buxar, in connection with Dhansoi P.S. Case No.66 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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

