

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54270 of 2019**

Arising Out of PS. Case No.-24 Year-2019 Thana- NIMCHAKBATHANI
District- Gaya

- =====
1. NARESH CHOUDHARY Son of Nanhak Choudhary Resident of Village- Mai, Police Station- Nimchak Bathani, District- Gaya
 2. Murakh Choudhary @ Murakha Choudhary @ Prabhu Choudhary Son of Kali Choudhary Resident of Village- Mai, Police Station- Nimchak Bathani, District- Gaya
 3. Suresh Choudhary Son of Chando Choudhary Resident of Village- Mai, Police Station- Nimchak Bathani, District- Gaya
 4. Mithun Choudhary Son of Kapil Choudhary Resident of Village- Mai, Police Station- Nimchak Bathani, District- Gaya
 5. Chhapas Choudhary @ Jhapas Choudhary @ Mithlesh Choudhary Son of Biraju Choudhary. Resident of Village- Mai, Police Station- Nimchak Bathani, District- Gaya
 6. Arun Choudhary Son of Sohan Choudhary Resident of Village- Mai, Police Station- Nimchak Bathani, District- Gaya
 7. Doma Choudhary @ Ajay Kumar Son of Lakhan Choudhary Resident of Village- Mai, Police Station- Nimchak Bathani, District- Gaya
 8. Santosh Choudhary Son of Murakh Choudhary @ Prabhu Choudhary Resident of Village- Mai, Police Station- Nimchak Bathani, District- Gaya
 9. Baban Choudhary @ Pawan Choudhary Son of Jagadish Choudhary Resident of Village- Mai, Police Station- Nimchak Bathani, District- Gaya

... .. Petitioners

Versus

THE STATE OF BIHAR

.. ... Opposite Party

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Appearance :

For the Petitioners : Mr. Manish Kumar No2, Advocate.

For the Opposite Party: Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 29-08-2019

Heard learned counsel for the petitioners and learned

APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 307, 332, 333 and 353 of the Indian Penal Code registered in connection with Nimchak



Bathani P.S. Case No. 24 of 2019.

3. It is submitted that the petitioners have been falsely implicated and the F.I.R. is against as many as 19 named persons. The accusations are general and omnibus in nature without any specific accusations attributed individually. Similarly situated co-accused persons have been granted anticipatory bail by this Court by order dated 28.06.2019 in Cr. Misc. No. 39722 of 2019. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Xth, Gaya in connection with Nimchak Bathani P.S. Case No. 24 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves



available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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