

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62105 of 2019

Arising Out of PS. Case No.-173 Year-2019 Thana- BAKHTIYARPUR District- Patna

1. Pawan Choudhary @ Pawan Kumar aged about 19 years (M) Son of Vinod Choudhary, Resident of Village - Balthan, P.S.- Bakhtiyarpur, Distt - Patna.
2. Karan Choudhary @ Karan Kumar, aged about 17 years (M), Son of Krishan Choudhary, Resident of Village - Balthan, P.S.- Bakhtiyarpur, Distt - Patna.
3. Manish Choudhary@ Manish Kumar aged about 18 years (M), Son of Krishan Choudhary, Resident of Village - Balthan, P.S.- Bakhtiyarpur, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Choudhary, Adv.

For the Opposite Party/s : Mr. Nawal Kishore, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-10-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Bakhtiyarpur P.S. Case No. 173 of 2019 registered under sections 147, 148, 149, 323, 325, 307, 379, 504, 506 of the Indian Penal Code and 27 of the Arms Act.

The allegation against the petitioners is that the petitioners along with other accused persons assaulted the informant and his family members.

Learned counsel appearing for the petitioners submits that no specific allegation has been leveled against these



petitioners and the allegation of assault is upon other co-accused who is not petitioner over here. Learned counsel further submits that both the party are neighbours and there is case and counter case between them inasmuch as Bakhtiyarpur P.S. Case no. 180 of 2019 has been lodged by the side of the petitioners against the informant and others. Learned counsel further submits that there is land dispute between them and title appeal is pending between the parties and there is previous enmity between them.

Learned counsel appearing for the informant vehemently opposed the prayer for anticipatory bail and submits that the petitioner along with other accused persons assaulted the informant and his family member causing them injured.

Having regard to the submissions made by the parties and taking into consideration the fact that both the parties are neighbours and there is case and counter case between them and land dispute is also pending between the parties, I am inclined to grant anticipatory bail to all the petitioners.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today 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 the learned A.C.J.M Barh in connection with Bakhtiyarpur P.S. Case No. 173 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

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