

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69836 of 2019

Arising Out of PS. Case No.-147 Year-2017 Thana- KHAGARIA District- Khagaria

Krishna Chaudhary, Son of Jawahar Chaudhry Resident of Village- Belaganj,
P.S.- Khagaria (Gangaur), District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishweshwar Ram
For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 379, 504 and 506/34 of the Indian Penal Code.

The prosecution case is that the informant was stopped by co-accused Pankaj Choudhary and on the order of co-accused Jawahar Choudhary, co-accused Pankaj Choudhary assaulted with knife on the head of the informant and when the informant tried to escape from the place, petitioner Krishna Choudhary and co-accused Jawahar Choudhary assaulted the informant with lathi and rod, as a result, informant fell down on the ground then the villagers came and save the informant. It is also alleged that co-accused Pankaj Choudhary snatched a gold chain and Rs.3,000/- from the informant.



It is submitted by learned counsel for the petitioner that though other co-accused persons were charge sheeted but the petitioner was not sent up for trial but differing with the final form, cognizance has been taken. There is a counter version of the occurrence also being Khagaria (Gangaur) P.S. Case No. 148 of 2017 registered for the offences punishable under Sections 341, 323, 379, 307, 504 and 506/34 of the Indian Penal Code. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR.

Considering the fact that the petitioner was not sent up for trial, there being counter case filed against the informant's case and moreover, injury has been found simple, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Khagaria in connection



with Khagaria (Gangaur) P.S. Case No. 147 of 2017, subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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