

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76391 of 2019

Arising Out of PS. Case No.-212 Year-2019 Thana- UCHKAGAON District- Gopalganj

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RAMNATH CHOUDHARY Son of Late Radha Choudhary Resident of
Village - Itwa, P.S.- Uchakagaon, District - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harendra Prasad

For the Opposite Party/s : Mr.Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 342, 323, 308, 379, 504 and 506/34 of the Indian Penal Code.

Prosecution case is that on the alleged date and time of occurrence, the informant Kedar Choudhary was returning home and in that course, when he arrived Itwa Mathia near orchard, petitioner and accused persons caught hold and put pistol on his head and tying his hand and mouth brought nearby paddy field and petitioner gave order to kill him whereupon Dharmendra Choudhary and Umesh Choudhary started assaulting him with kicks on his chest indiscriminately and in that course, Gorakh Choudhary took out Rs. 25,000/- from his



pocket and Umesh Choudhary and Naresh started pressing his neck as a result of which became half dead and thereafter, they fled away. Thereafter, the villagers of Balbhadra Patti came to attend the call of nature and having seen him, bring their village and informed his family members.

Learned counsel for the petitioner submits that petitioner is innocent and committed no offence. It is further submitted that admittedly, petitioner and informant are co-villagers. He submits that there is no specific allegation against the petitioner and petitioner has no criminal antecedent. He further submits that the petitioner and informant are co-villagers and several litigation are going on between the parties earlier to this the informant has also lodged Uchakagaon P.S. Case No. 121 of 2003 against the family members of the petitioner for the offences under Sections 341, 323,447,379/34 of the Indian Penal Code.

In the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the



learned A.C.J.M.-IX, Gopalganj in connection with Uchakagaon Police Station Case No. 212 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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