

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83623 of 2019

Arising Out of PS. Case No.-139 Year-2019 Thana- THARTHARI District- Nalanda

1. AKASH CHAUDHARI Son of Umesh Chaudhari Resident of Village- Kariyawan, Police Station- Tharthari, District- Nalanda.
2. Rajiv Chaudhari Son of Kedar Chaudhari Resident of Village- Kariyawan, Police Station- Tharthari, District- Nalanda.
3. Rita Devi W/o Umesh Chaudhari Resident of Village- Kariyawan, Police Station- Tharthari, District- Nalanda.
4. Munni Devi Wife of Bira Chaudhari @ Dharambir Chaudhari @ Bira Resident of Village- Kariyawan, Police Station- Tharthari, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-12-2019 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Tharthari P.S. Case No. 139 of 2019 registered for the offence punishable under Sections 447, 341, 323, 307, 354, 379, 337, 338, 504 and 506/34 of the Indian Penal Code.

The allegation is regarding the co-accused person, Dharmvir Chaudhary having assaulted the informant by rod and the co-accused person, namely, Umesh Chaudhary having assaulted the injured person, namely, Rahul Ranjan by rod resulting in them sustaining serious injuries.



The learned counsel for the petitioners has submitted that as far as the petitioners are concerned, there is no allegation of any sort of specific overt act resulting in any specific injury on the person of the injured. It is further submitted that the petitioner nos. 3 and 4 are having a clean antecedent while the petitioner nos. 1 and 2 are having one criminal antecedent against them in which they are on bail. Lastly, it is submitted that the petitioners do not have any role to play in the injuries sustained by the injured members of the prosecution party.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Tharthari P.S. Case No. 139 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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