

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81259 of 2019

Arising Out of PS. Case No.-119 Year-2019 Thana- BISFI District- Madhubani

RAKESH CHOUDHARY @ LANKESH, aged about 35 years, Gender-Male,
Son of Shiv Kumar Choudhary, Resident of Village-Chauta Bargulia Pathan
Tole, P.S.-Bisfi, District-Madhubani.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ravi Ranjan, Advocate.

For the Opposite Party : Mr.Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 341, 323, 324, 307, 379,
504 and 506/34 of the IPC.

The prosecution story, in brief, is that on 02.05.2019
at about 8.30 hours, the informant came to his house from the
Motorcycle and was sitting in front of his house, where his
Gotia and neighbour, namely, Krishna Kumar Choudhary,
Rakesh Choudhary (petitioner) and Suresh Kumar Choudhary
came armed with Garasa, Lathi, Danda and Bhala and finding
him alone Krrishna Kumar Choudhary assaulted on the head of
the informant which resulted him bleeding from his head and



thereafter, Rakesh Kumar assaulted him with Bhala and Suresh Choudhary assaulted with Lathi and thereafter some people from the side of informant also came and who brought him at Bisfi and when he regained his consciousness he found missing five thousand rupees and golden chain missing and both have taken away those articles and his treatment is going at Bisfi Hospital and he gave the cause of occurrence to be the land dispute and earlier also in the year 2017 Mar-pit has taken place and in the year 2018, a case was lodged against him and his family members but subsequently the police has exonerated the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. Nature of injury is said to be simple. No offence under Section 307 of the IPC. The alleged occurrence is said to have taken place due to previous enmity.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender



before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Benipatti, Madhubani, in connection with Bisfi P.S. Case No. 119 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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