

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6637 of 2020

Arising Out of PS. Case No.-299 Year-2019 Thana- BAIRIYA District- West Champaran

1. HARIRAJ CHAUDHARY @ BHULAI CHAUDHARY S/o Bindeshwari Chaudhary R/o village- Bhitaha, P.S.- Bairiya, District- West Champaran
2. Batasa Devi W/o Bindeshwari Chaudhary R/o village- Bhitaha, P.S.- Bairiya, District- West Champaran
3. Bindeshwari Chaudhary S/o Late Bagar Chaudhary R/o village- Bhitaha, P.S.- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 20-10-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner no.1 apprehends his arrest in a case registered for the offence punishable under Sections 447, 341, 323, 307, 504, 506, 379 and 34 of the Indian Penal Code.

Vide order dated 01.07.2020, petitioner nos.2 and 3 were granted anticipatory bail whereas case diary was called for with respect to petitioner no.1.

Case diary has been received.

Allegation of assault on head of father of informant by iron rod is against co-accused Fulena Chaudhary s/o



Bindeshwari Chaudhary. Allegation against petitioner no. 1 is beating by bamboo stick. Injury report shows two injuries one on Scalp(grievous) and other on nasal bridge (simple) caused by hard and blunt object which is not attributable to petitioner no. 1. There is dispute between the parties with respect to homestead lands. All family members have been made accused. There is case and counter case. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the **petitioner no.1, namely, Hariraj Chaudhary @ Bhulai Chaudhary** be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Bairiya P.S. Case No.299 of 2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be



present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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