

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8965 of 2020

Arising Out of PS. Case No.-255 Year-2019 Thana- KARAHGAR District- Rohtas

1. FULENDRA CHAUDHARY Son of Bechu Chaudhary Resident of Village - Balirampur, P.S.- Kargahar, Dist.- Rohtas.
2. Umashankar Chaudhary Son of Bechu Chaudhary Resident of Village - Balirampur, P.S.- Kargahar, Dist.- Rohtas.
3. Arjun Chaudhary Son of Bechu Chaudhary Resident of Village - Balirampur, P.S.- Kargahar, Dist.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Sinha
For the Opposite Party/s	:	Mr.Rabindra Kumar
For informant	:	Mr. Chhotelal Mishra
	:	Mr. Ajay Kr. Tiwari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-03-2020

At the outset, the learned counsel for the petitioners submits that petitioner no. 2 has been arrested, hence he does not wish to press the present petition *qua* the petitioner no. 2. Accordingly, the present petition *qua* the petitioner no. 2 stands dismissed.

At this juncture, the learned counsel for the petitioners seeks to withdraw the present petition *qua* the petitioner no. 1.

Accordingly, the present petition *qua* the petitioner no. 1 stands disposed off as not pressed, however with liberty to the petitioner to surrender before the learned court below and seek regular bail.



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 Kargahar PS case no. 255 of 2019 registered for the offences punishable under Sections 147, 149, 446, 341, 324, 307, 325, 379, 504, 506 of Indian Penal Code.

The allegation is regarding the accused persons having arrived at the house of the informant, whereafter they are alleged to have assaulted the informant and his family members. As far as petitioner no. 1 is concerned, he is said to have assaulted the old mother of the informant resulting in fracture being caused on her hip.

The learned counsel for the petitioners has fairly submitted that as far as petitioner no. 3 is concerned, there is no allegation of any sort of overt act, which is also not disputed by the learned counsel appearing for the informant.

Having regard to the facts and circumstances of the case and considering the fact that there is no any allegation of any sort of overt act or assault, as far as petitioner no. 3 is concerned, I deem it fit and appropriate to admit the petitioner no. 3 to the privilege of anticipatory bail. Accordingly, the petitioner no. 3, in the event of his 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, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Rohtas at Sasaram in connection with Kargahar PS case no. 255 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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