

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6563 of 2020

Arising Out of PS. Case No.-463 Year-2019 Thana- ATRI District- Gaya

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1. PINTU CHAUDHARY Son of Mohan Chaudhary
 2. Dilip Chaudhary Son of Shiv Kumar Chaudhary @ Netaji
 3. Dipu Chaudhary, Son of Bhagirath Chaudhary
 4. Mukesh Chaudhary Son of Muni Chaudhary
 5. Ranjeet Chaudhary @ Ranjeet Kumar Son of Bachchu Chaudhary
 6. Sudhir Chaudhary Son of Bhagirath Chaudhary
 7. Mintu Chaudhary, Son of Vijay Chaudhary

All are Resident of Village - Gehuni, P.S. - Atri, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 25-06-2020 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 143, 149, 506, 120(B), 188 of the Indian Penal Code and Sections 25(1-B)A/26/35 of the Arms Act.

Informant who is a police officer has alleged that on 28.10.2019, he came to know that on 27.10.2019, on the



occasion of Laxmi Puja, a stage show was being performed by the artists and one Mithlesh Chaudhary was brandishing with loaded rifle on the stage with dancers with the support of the convener and committee members (petitioners) of Puja Pandal with a view to create fear in the mind of spectators. The informant has further submitted that a video recording of the said incident was prepared and thereafter an FIR was lodged against the accused persons.

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case due to village politics. It is further submitted that petitioners have nothing to do with brandishing of rifle by Mithlesh Chaudhary at the time of stage show and the informant himself was enjoying the dance programme and was busy in making video of the programme and he never tried to stop or arrest Mithlesh Chaudhary. Petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above 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/- each with two sureties of the like amount each to



the satisfaction of learned court below where the case is pending in connection with Atri P.S. Case No.463 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) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bonds.

(3) If the petitioners tamper 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 petitioners.

(S. Kumar, J)

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