

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9609 of 2020

Arising Out of PS. Case No.-137 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

1. RAJIV CHAUDHARY
2. Mahendra Chaudhary both S/o Madhesh Chaudhary Resident of Village-
Machhil, P.S.- Makhdumpur, Distt- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-06-2020 This case has been heard through video conferencing.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 147, 148,
149, 452, 323, 324, 325, 326, 307, 380, 504 and 506 of the
Indian Penal Code.

As per allegation made in the FIR, it is stated that 10-
15 persons variously armed, attacked the informant. It is further
stated that co-accused Nagendra Choudhary, Suresh Choudhary
and Manohar Choudhary were carrying Garasa, iron rod and
Pasuli respectively against whom there is specific allegation of
assault.



Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case due to dispute of cutting tree. He submits that there is no specific allegation against the petitioners rather as per the FIR, the father-in-law of the informant was assaulted by the co-accused Nagendra Choudhary with Farsa on his hand but the doctor has found the said injury as swelling, which has been kept reserved and till submission of charge-sheet, the opinion of reserved injury has not been brought by the I.O. He submits that petitioners have not participated in the alleged occurrence rather the present false case is in the counter blast of Makhdumpur P.S. Case No. 132 of 2019. He further submits that similarly situated co-accused have been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 34969 of 2019 on 29.05.2019.

In the facts and circumstances of the case, let 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 of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Jehanabad in connection with Makhdumpur Police Station Case No. 137 of 2019, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

