

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13102 of 2020

Arising Out of PS. Case No.-778 Year-2019 Thana- DANAPUR District- Patna

1. GOPAL CHAUDHARY @ GOPAL SAHANI Son of Lakshami Chaudhary
Resident of Village - and P.S.- Suryagarha, Distt.- Lakhisarai.
2. Rahul Kumar @ Rahul Kumar Sahani Son of Sri Sidheshwar Chaudhary
Resident of Village - and P.S.- Suryagarha, Distt.- Lakhisarai.

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Raj Shekhar, Advocate.
For the State	:	Mr. Rana Randhir Singh, A.P.P.
For the Informant	:	Mr. Lakshmindra Kumar Yadav, Advocate.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 12-08-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State as also the learned counsel for the informant through Video Conferencing.

The petitioners apprehend their arrest in connection with Danapur P.S. Case No.778 of 2019/G.R. No.3664 of 2019 registered under Sections 341, 323, 325, 307, 504 and 506/34 of the Indian Penal Code.

The accusation is that on 09.10.2019, both the petitioners being the neighbours of the informant Bishun Chaudhary, came at the door of the informant and brutally assaulted the informant and others. At that time, Rahul Kumar (petitioner no.2) opened fire at the informant and his son but,



fortunately, they saved themselves. On 'hullah' being raised by the informant and others, when the neighbours of the informant rushed there, then both the petitioners fled away from there.

Learned counsel appearing on behalf of the petitioners submits that, admittedly, both the petitioners are the next door neighbours of the informant and due to petty dispute, hot exchange of words took place in between the informant's side and the petitioners in which slight injury was sustained by the informant's side but, with an ulterior motive, the informant has lodged the present case. Further submission is that while at the time of disposal of Anticipatory Bail Petition No.8245 of 2019, on 05.12.2019, by the Additional Sessions Judge-VII, Danapur, Patna, of the petitioners, case diary of the concerned case was called for but the injury report of the informant and others are not detailed in the case diary.

On the other hand, learned counsel for the informant opposed the prayer of the petitioners for grant of privilege of pre-arrest bail and submits that six persons have sustained injuries in the present occurrence.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged



on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the 1st Additional Chief Judicial Magistrate, Danapur, Patna, in connection with Danapur P.S. Case No.778 of 2019/G.R. No.3664 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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