

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28457 of 2020

Arising Out of PS. Case No.-195 Year-2019 Thana- KHAJEKALA District- Patna

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Balram Chaudhary, Male, aged about 49 years, son of Late Madan Prasad
Resident of Mohalla-Ward No.60, Guzari Bazar, Patnacity, P.S-Khajekalan,
District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Pramod Kumar, Advocate
For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 22-03-2021 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The petitioner is apprehending arrest in connection
with Khajekalan P.S. Case No. 195 of 2019 for offences under
Sections 341, 323, 353, 427, 504 and 506 of the Indian Penal
Code.

Learned counsel for the petitioner submits that
petitioner is a Ward Counsellor and he has been roped in the
present case for raising voice for non-execution of the
Government scheme. Learned counsel submits that except
Section 353 of the IPC, all sections areailable. He further
submits that detail given in the FIR does not disclose that the
petitioner has used force to create impediment in discharging the



official duties of the informant in this case.

Considering the fact that the petitioner is a Ward Counsellor and he has visited the Hospital when he received complaint from the public, in the aforesaid background, petitioner has been made accused in this Case.

Considering the materials available on record, this Court is inclined to grant privilege of anticipatory bail to the petitioner. Let petitioner, above-named, in the event of arrest or surrender within one month from today, be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Sub-divisional Judicial Magistrate, Patna in connection with Khajekalan P.S. Case No. 195 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and subject to further condition that one of the bailors shall be a member of the elected representative of the Ward.

(Anil Kumar Upadhyay, J)

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