

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32266 of 2020

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

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1. Rajesh Chaudhary, Son of Lato Chaudhary, Resident of Village- Gehuni, P.S.- Atri, District- Gaya.
 2. Guddu Chaudhary, Son of Lato Chaudhary, Resident of Village- Gehuni, P.S.- Atri, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate.
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 08-03-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Atri P.S. Case No. 463 of 2019, registered under Sections 143, 149, 506, 120B and 188 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

The accusation is that on 28.10.2019, informant, Prashant Kumar, ASI of Atri Police Station, received information that in preceding night at the occasion of Laxmi Puja at the stage, Mithelesh Choudhary in drunken state was present with illegal



country made loaded rifle with dancer, regarding which, Videography was done. Thereafter, informant came to know that 19 office bearers named in the FIR including the petitioners of Puja Samiti were indulged in instigating to Mithelesh Choudhary to go at the stage with illegal country made loaded rifle, where the dance programme was going on.

Learned counsel for the petitioners submits that while both petitioners are named in the FIR but there is no allegation to create nuisance at the stage at the time of dancing performance on the occasion of Laxmi Puja. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XIII, Gaya, 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.

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(Rajendra Kumar Mishra, J)

