

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1697 of 2021

Arising Out of PS. Case No.-51 Year-2020 Thana- JURAWANPUR District- Vaishali

1. SAMBHU CHAUDHARY @ SHAMBHU CHAUDHARY Son of Late Sarifan Chaudhary Resident of Village- Paharpur West, P.S.- Jurawanpur, District- Vaishali at Hajipur.
2. Shankar Chaudhary Son of Late Sarifan Chaudhary Resident of Village- Paharpur West, P.S.- Jurawanpur, District- Vaishali at Hajipur.
3. Dablu Chaudhary Son of Shankar Chaudhary Resident of Village- Paharpur West, P.S.- Jurawanpur, District- Vaishali at Hajipur.
4. Bablu Chaudhary Son of Shankar Chaudhary Resident of Village- Paharpur West, P.S.- Jurawanpur, District- Vaishali at Hajipur.
5. Chandan Chaudhary Son of Shankar Chaudhary Resident of Village- Paharpur West, P.S.- Jurawanpur, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar
	:	Mr. Setu Prateek
For the Opposite Party/s	:	Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 13-07-2021 Heard Mr. Shashank Shekhar, learned counsel for the petitioners and Mr. Md. Aslam Ansari, learned APP for the State.

The application with respect to petitioner no. 1 / Sambhu Chaudhary @ Shambhu Chaudhary and petitioner no. 2/Shankar Chaudhary have already been withdrawn earlier on account of their arrest and their applications having become infructuous.



The petitioner nos. 3, 4 and 5 seek bail in anticipation of their arrest in connection with Jurawanpur P.S. Case No. 51 of 2020 instituted for the offence under Sections 341, 323, 307, 354, 379, 504 and 427/34 of the Indian Penal Code.

It has been urged on behalf of the petitioners that though they have been named in the F.I.R. with specific accusation of assaulting the members of the prosecution party but the injuries suffered by the victims are not grievous. One of the persons has received an injury about which no positive opinion could be given regarding its nature. Learned counsel for the petitioners has, however, submitted that the victim got themselves examined in a private hospital instead of a Government hospital and persons from the side of the petitioners also have been injured in the occurrence.

It is quite different that the petitioners have not chosen to file any case against the informant and others of this case.

Regard being had to the background facts of land dispute and a mutation appeal pending between the parties,



the petitioner no. 3/ Dablu Chaudhary, petitioner no. 4/Bablu Chaudhary and petitioner no. 5/ Chandan Chaudhary are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Hajipur, Vaishali in connection with Jurawanpur P.S. Case No. 51 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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