

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15247 of 2022

Arising Out of PS. Case No.-282 Year-2019 Thana- MADHUBANI TOWN District-
Madhubani

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1. SURAJ KUMAR CHOUDHARY Son of Raj Kumar Choudhary @ Raj Kumar Choudhary Resident of Village- Bhouara, P.S. and District- Madhubani.
 2. Akash Choudhary Son of Raj Kumar Choudhary @ Raj Kishor Choudhary Resident of Village- Bhouara, P.S. and District- Madhubani.
 3. Guddu Choudhary S/o Raj Kumar Choudhary @ Raj Kishor Choudhary Resident of Village- Bhouara, P.S. and District- Madhubani.
 4. Jitendra Yadav Son of Madan Yadav Resident of Village- Bhouara, P.S. and District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neerad Parashar
For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-12-2022 At the outset, learned counsel for the petitioner seeks permission to withdraw this anticipatory bail application in respect of petitioner no.3, Guddu Choudhary as he died during the pendency of this application.

Permission is granted.

Accordingly, this anticipatory bail application is dismissed as withdrawn so far as petitioner no.3, Guddu Choudhary is concerned.

Heard both sides.

Petitioners apprehend their arrest in connection with



Town P.S. Case No.282 of 2019, registered for the offences punishable under Sections 341, 323, 379, 365, 504, 506 and 34 of the Indian Penal Code.

The petitioners are said to have abused and assaulted the informant and her husband. It is also alleged that Suraj Choudhary, petitioner no.1 took away Rs.10,000/- kept in the shop of the informant alongwith her husband.

Learned counsel for the for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is submitted that the allegation of kidnapping of the victim is false as the victim is suffering from mental disorder since 2008 and he is being treated in Mental Hospital, Ranchi (Annexure-2 series).

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners by submitting that the statement of the victim was recorded under Section 164 Cr.P.C. in which he has supported the prosecution case.

Taking into consideration the facts and circumstances of the case, I am not inclined to enlarge the petitioners on anticipatory bail.



Accordingly, the prayer for anticipatory bail of the
petitioners is rejected.

(Anjani Kumar Sharan, J)

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