

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41071 of 2021

Arising Out of PS. Case No.-286 Year-2020 Thana- DURGAWATI District- Kaimur (Bhabua)

1. Balwant Chaubey @ Balwant Choubey, aged about 39 years, Gender-Male, Son of Ram Abadh Chaubey @ Ramawadh Choubey, Resident of Village- Bheriya, P.S.- Durgawati, District- Kaimur presently residing at Flat No. D-242, 3rd Floor, Laxmi Nagar, P.S.- Shakarpur, New Delhi.
2. Sanjay Choubey @ Krishna Nand Chaubey, aged about 44 years, Gender-Male, Son of Ram Abadh Chaubey @ Ramawadh Choubey, Resident of Village- Bheriya, P.S.- Durgawati, District- Kaimur, Presently residing at Flat No.5036, Roseberry, Sahara Garden City, Adityapur, P.S.- Adityapur, District- Saraikela, State- Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 41626 of 2021

Arising Out of PS. Case No.-286 Year-2020 Thana- DURGAWATI District- Kaimur (Bhabua)

Ram Abadh Chaubey @ Ramawadh Choubey, aged about 78 years, Gender-Male, Son of Late Sitaram Chaubey, Resident of Village - Bheriya, P.S. - Durgawati, District - Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 41071 of 2021)

For the Petitioner/s : Mr. Shashank Chandra, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

For the Informant : Mr. Rajesh Kumar Pathak, Advocate

(In CRIMINAL MISCELLANEOUS No. 41626 of 2021)

For the Petitioner/s : Mr. Shashank Chandra, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

For the Informant : Mr. Rajesh Kumar Pathak, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

4 10-02-2022 Heard the parties through video conferencing.

Let the defect(s), if any, be removed within four weeks of starting of the court proceeding in physical mode properly.

The petitioners seek bail in anticipation of their arrest in connection with Durgawati P.S. Case No. 286 of 2020 instituted for the offences punishable under Sections 341, 323, 379, 447, 308, 504 and 34 of the Indian Penal Code.

The cases relating to the same incident. Learned counsel for the petitioners submits that the FIR was lodged by both the parties who are brothers and the dispute is essentially with regard to the property. Learned counsel submits that the informant was granted anticipatory bail by this Court.

Taking into consideration the said aspect, I am inclined to grant anticipatory bail to the petitioners, in the event of arrest they shall be released on anticipatory bail, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjeev Prakash Sharma, J)

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