

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41299 of 2021

Arising Out of PS. Case No.-225 Year-2020 Thana- KHAJAULI District- Madhubani

1. JAGARNATH CHAUDHARY @ JAGARNATH KUMAR CHAUDHARY
Son of Ram Kumar Chaudhary Resident of village - Khajauli, P.S. Khajauli,
District - Madhubani.
2. Usha Devi Wife of Umesh Chaudhary Resident of village - Khajauli, P.S.
Khajauli, District - Madhubani.
3. Shanti Devi Son of Ram Kumar Chaudhary Resident of village - Khajauli,
P.S. Khajauli, District - Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash
For the Opposite Party/s : Mr. Baidya Nath Thakur

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 02-03-2022 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend arrest in connection with
Khajouli P.S. Case No. 225 of 2020 registered under Section
307 and other allied sections of the Indian Penal Code.

Learned counsel appearing on behalf of the
petitioners submits that petitioners are innocent and have falsely
been implicated in the present case. Further he submits that
there is no direct allegation against the petitioners, except
petitioner no.1.

Learned A.P.P. appearing on behalf of the State
vehemently opposed the prayer of petitioner no. 1 Jagarnath



Chaudhary @ Jagarnath Kumar Chaudhary by contending that in the first information report, there is direct allegation of assault by means of *farsa* on the head of son of the informant. Hence, this is not a fit case for grant of anticipatory bail of the petitioner no.1.

Having considered the above facts and circumstances of the case as well as the submissions advanced on behalf of the State, prayer of the petitioner no. 1 Jagarnath Chaudhary @ Jagarnath Kumar Chaudhary is rejected. As far as the application of petitioner nos. 2 and 3 is concerned, their prayer for grant of anticipatory bail is allowed.

Let the above named petitioner nos. 2 and 3 be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate-I, Madhubani in connection with Khajouli P.S. Case No. 225 of 2020, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

shailendra/-

(Arvind Srivastava, J)

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