

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34595 of 2022

Arising Out of PS. Case No.-1747 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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1. VINOD KUMAR CHAUDHARY SON OF LATE RAM KHELAWAN CHAUDHARY R/O VILLAGE-JADHUA KUMHAR TOLI, P.S.-HAJIPUR, DISTRICT- VAISHALI
 2. RANJEET CHAUDHARY SON OF HARENDRA CHAUDHARY R/O VILLAGE-GADAI SARAI, P.S.- HAJIPUR SADAR, DISTRICT-VAISHALI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ARUN KUMAR SON OF LATE RAJAN CHAUDHARY R/O VILLAGE-JADHUA , P.S.- TOWN HAJIPUR, DISTRICT- VAISHALI

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Vijaya Laxmi Srivastwa, Advocate
For the Opposite Party/s :	Mr. Ram Priya Sharan Singh, APP
	Mr. Anil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 382, 386, 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have antecedent of one case and the complainant alleges that Vinod Choudhary on point of gun threatened him to compromise the case, further Surendra Choudhary took Rs. 8,000/- from his pocket along with mobile etc., as detailed in the FIR and accused persons also snatched his gold chain worth Rs.



68,000/-

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that since a case was instituted against the petitioners by the complainant, as such the present false case came to be instituted, it is also submitted that it absolutely does not stand to reason that as to why the petitioner being a government servant would have threatened the complainant and thus would have got implicated in another criminal case. Learned counsel further submits that petitioner no.2 is a witness in Complaint Case No. 2223 of 2006 filed by the petitioner no.1 against the present complainant, it is also submitted that the complainant is an accused in a CBI case which is pending before the learned Special Judge CBI, Patna vide Special Case No. 1 of 2016. It is next submitted that even the wife of the complainant has instituted a case against him vide Mahila P.S. Case No. 72 of 2014, as such the complainant also is a history-sheeter, it is next submitted that the very fact that a complaint case came to be instituted by the complainant that in itself creates doubt with regard to the veracity of the allegation as alleged.

Learned APP for the State and the learned counsel for the complainant oppose the anticipatory bail application of the petitioners and the learned counsel for the complainant submits



that the petitioners have been convicted in the case for which the complainant was threatened but is not able to meet the submissions of the learned counsel for the petitioners that petitioner no.1 is a government servant and instead of an FIR, a complaint came to be filed and also that the complainant himself is a person with questionable antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 1747 of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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