

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51950 of 2021

Arising Out of PS. Case No.-67 Year-2021 Thana- MAJHAULIA District- West Champaran

1. Binod Chaudhary S/O- Sri Pundeo Chaudhary Resident of Village- Madhopur, P.S.- Majhauria, District- West Champaran.
2. Shibu Chaudhary @ Shibu Kumar Chaudhary Son of Sri Krishna Chaudhary Resident of Village- Madhopur, P.S.- Majhauria, District- West Champaran.
3. Dilip Chaudhary @ Dilip Sahani Son of Sri Jagu Chaudhary Resident of Village- Madhopur, P.S.- Majhauria, District- West Champaran.
4. Raju Chaudhary Son of Sri Hiralal Chaudhary Resident of Village- Madhopur, P.S.- Majhauria, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-05-2022 Learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application in respect of petitioner no.1, namely, Binod Chaudhary.

Permission is granted.

Accordingly, this anticipatory bail application is dismissed as withdrawn so far as petitioner no.1 is concerned.

Heard learned counsel for the petitioners and learned APP for the State.

Petitioners No.2, 3 and 4 apprehend their arrest in Majhauria P.S. Case No.67 of 2021, registered for the offences



punishable under Sections 341, 323, 324, 379, 307 and 34 of the Indian Penal Code.

The petitioners along with 4-5 unknown persons are said to have assaulted the uncle of the informant. When the informant tried to save him, Binod Chaudhary, petitioner no.1 assaulted the informant by means of *farsa* on his head. Dilip Chaudhary and Raju Chaudhary, petitioners no.3 and 4 respectively caught hold the informant and Shibu Chaudhary, petitioner no.2 took out Rs.13,000/- from the pocket of the informant. Shibu Chaudhary also snatched a chain made of gold from the neck of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that there is land dispute between the parties and both sides sustained injuries. It is further submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application.

Learned APP for the State opposes the prayer for anticipatory bail of the petitioners.

Taking into consideration the facts aforesaid, let petitioners no.2, 3 and 4, above named, in the event of their arrest or surrender before the learned court below within a



period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Majhulia P.S. Case No.67 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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