

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66718 of 2021

Arising Out of PS. Case No.-499 Year-2020 Thana- BAIRIYA District- West Champaran

1. GUDDU CHAUDHARY, S/o Shambhu Choudhary R/o village- Bagahi Lumoiya Tola, P.S.- Bairiya, District- West Champaran (Bettiah)
2. Lal Babu Choudhary, S/o Moti Lal Choudhary R/o village- Bagahi Lumoiya Tola, P.S.- Bairiya, District- West Champaran (Bettiah)
3. Binda Choudhary, S/o Bharat Choudhary R/o village- Bagahi Lumoiya Tola, P.S.- Bairiya, District- West Champaran (Bettiah)
4. Kishan Choudhary, S/o Jagdish Choudhary R/o village- Bagahi Lumoiya Tola, P.S.- Bairiya, District- West Champaran (Bettiah)
5. Bharoshi Choudhary, S/o Ganesh Choudhary R/o village- Bagahi Lumoiya Tola, P.S.- Bairiya, District- West Champaran (Bettiah)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Singh
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 01-06-2022 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks from today.

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

The petitioners apprehend their arrest in connection with Bairiya P.S. Case No. 499 of 2020, registered under sections 341, 323, 325, 307, 379/34 of the Indian Penal Code.

As per allegation, 6 named accused persons including



the petitioners came to the house of the informant. The allegation against the petitioner No.1 is that he thrashed the informant on the ground after catching her hair. Co-accused Shambhu Choudhary, who is not petitioner, assaulted Hiramati Devi, the mother-in-law of the informant and hit by iron rod. Allegation against petitioner No.3 is that he assaulted the Dharmati Devi, sister-in-law of the informant and allegation against petitioner No.4 is that he assaulted the informant on her leg with lathi.

The learned counsel for the petitioners has submitted that both the parties are agnates. The injuries sustained by the informant and Dharmati Devi, sister-in-law of the informant are simple in nature. The allegation against co-accused, Shambhu Choudhary, is of inflicting iron rod on the head of Hiramati Devi but he is not the petitioner. It has been mentioned in the impugned order that both the parties have compromised and they do not want to proceed with the case further.

Considering the above facts and circumstances, the petitioners, above-named, in the event of their arrest or surrender, within four weeks from today, are directed to be released on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to



the satisfaction of learned Chief Judicial Magistrate, West Champaran, in connection with Bairiya P.S. Case No. 499 of 2020, subject to the condition as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

The application stands allowed.

(Nawneet Kumar Pandey, J)

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