

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64843 of 2022

Arising Out of PS. Case No.-104 Year-2022 Thana- BASOPATTI District- Madhubani

AJAY KUMAR CHAUDHARY Son of Gopi Kant Chaudhary R/V- Siriyapur,
P.S- Basopatti, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 307, 324, 506 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that accused persons, including the petitioner, were firing indiscriminately and his son and others received gunshot injury, it is next alleged that his son received gunshot injury on his head and neck along with other injured persons and the reason for the occurrence is previous dispute.

Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the present case on account of political rivalry, it is next submitted that though allegation is of indiscriminate firing but then the same is general and omnibus in nature, it is further submitted that from the side of the petitioner also Basopatti P.S. Case No. 105 of 2022 was instituted by one Harishchandra who also received injury in the occurrence and in the said FIR, the informant along with his son and others are accused. Learned counsel submits that since there is a political faction in the village and one faction of Harishchandra is being supported by the present petitioner and other side is led by the informant, as such skirmishes between the two groups keep taking place and the petitioner came to be implicated merely because he sides with Harishchandra group, it is also submitted that petitioner will not evade the law rather will cooperate in the investigation and will present himself as and when required by the Investigating Officer of the case.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Basopatti P.S. Case No. 104 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance is not cooperating in the investigation or is not appearing when called, the learned trial court after giving an opportunity of hearing to the petitioner shall pass orders in accordance with law and shall also have the liberty to cancel the bail bonds of the petitioner.

The learned trial court is directed to send a copy of this order to the concerned Police Station.

(Satyavrat Verma, J)

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