

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17513 of 2023

Arising Out of PS. Case No.-620 Year-2022 Thana- COMPLAINT CASE District- Banka

1. Raja Ram Choudhary Son Of Late Bal Krishna Choudhary
2. Pritam Choudhary @ Pritam Kumar Choudhary Son Of Late Narayan Choudhary
3. Durjesh Choudhary @ Durgesh Choudhary Son Of Raja Ram Choudhary
4. Chanchal Dixit @ Chanchal Kumar Son Of Rajaram Choudhary
5. Manoj Yadav @ Manoj Kumar Yadav Son Of Rajal Yadav
All R/O Vill.- Kharhara, P.S.- Barahat, Distt.- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishna Devi Wife Of Anjani Kumar Mishra R/O Vill.- Kharhara, P.S.-
Barahat, Distt.- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate
For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Complaint Case No.620 of 2020 instituted under Sections 323, 324, 379, 354, 504, 506/34 of the IPC by the informant Krishna Devi.

As per the prosecution story, for the occurrence dated 06.05.2022, the complainant Krishna Devi has filed the complaint petition against the petitioners-accused persons and co accused persons. In the complaint petition, basically it is mentioned that the petitioners-accused persons caused hurt to



the complainant, her blind husband, elder daughter Punam Jha and tore the cloths of younger daughter of the complainant namely, Prachi Kumari. Thereafter, the petitioners-accused persons committed theft of cash Rs. 80,000/- and ornaments worth of Rs. 1,00,000/- by breaking open the box kept in the complainant's house. Accordingly, the complaint.

It has been submitted by the learned counsel for the petitioner that the agreement for sale of land was made by accused Umesh Chandra Jha with petitioner Raja Ram Chaudhary and as such the petitioners herein cannot be held accountable. The land belongs to Umesh Chandra Jha.

Learned APP on the other hand opposes the prayer for anticipatory bail.

Taking into account that the main allegation is against Umesh Chandra Jha, they do not have criminal antecedent, petitioner no.1 merely had an agreement with said Umesh Chandra Jha, this Court is inclined to grant them privilege of anticipatory bail.

Let the petitioners be released on bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Complaint



Case No.620 of 2022 to the satisfaction of learned Judicial Magistrate, Ist Class, Banka, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners will make themselves available to the police as and when required in course of investigation;

(iii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan/
Sunil

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