

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17257 of 2023

Arising Out of PS. Case No.-841 Year-2021 Thana- KHAGARIA District- Khagaria

1. Azad Choudhary Son Of Sato Choudhary R/V- Naya Tola Rahimpur, P.S- Muffasil Dist- Khagaria
2. Moti Kumar @ Moti Chaudhary Son Of Azad Chaudhary R/V- Naya Tola Rahimpur, P.S- Muffasil Dist- Khagaria
3. Sonu Kumar Son Of Vidyanand Choudhari R/V- Naya Tola Rahimpur, P.S- Muffasil Dist- Khagaria
4. Suraj Kumar @ Golu @ Golu Kumar Son Of Ramashish Choudhary R/V- Naya Tola Rahimpur, P.S- Muffasil Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 429/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioners is that they have killed the mare of the informant.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that



after completion of the investigation the police has submitted final form against the petitioners, but the learned Court below differed the final form and taken cognizance against the petitioners. He further submits that the petitioner no. 1 is 75 years old. Petitioner no 1 has no criminal antecedent and petitioners no. 2, 3 and 4 have two criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Khagaria (Mufassil) P.S. Case No.841 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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