

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38878 of 2023

Arising Out of PS. Case No.-229 Year-2022 Thana- LODIPUR District- Bhagalpur

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KAILASH CHOUDHARY SON OF LATE HARI CHOUDHARY
RESIDENT OF VILLAGE- SARMASPUR, GORADIH ROAD, PS-
LODIPUR, DISTT- BHAGALPUR Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Mishra
For the State	:	Mr.Nagendra Prasad
For the Informant	:	Mr. Ranjan Kumar Jha
	:	Mr. Rana Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 02-08-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Lodipur P.S. Case No. 229 of 2022, registered for the
offences punishable under Sections 341, 323, 324, 307/34 of the
Indian Penal Code.

3. As per allegation, the petitioner and co-accused
Ritesh Chaudhary and Rahul Chaudhary assaulted the informant
with sword on his head and he became injured.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. There is land dispute between the parties. There is
case and counter case. Both the parties have suffered grievous



injuries and the informant in counter case against whom there is allegation to cause grievous injuries to the injured persons, has been granted anticipatory bail by the co-ordinate Bench of this Court vide order dated 28.06.2023 in Criminal Appeal (SJ) No. 712 of 2023.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the case of the petitioner cannot be equated with the case of the informant. He has submitted further that the weapon used by this petitioner is sword, etc. There is case and counter case. Both the parties have suffered grievous injuries.

6. Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Lodipur P.S. Case No. 229 of 2022, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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