

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39008 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- AMAUR District- Purnia

1. KAILASH CHOUDHARY Son of Late Sanglu Choudhary Resident of village - Belgachhi, P.S. - Amour, Distt. - Purnea
2. RAJU CHOUDHARY Son of Kailash Choudhary Resident of village - Belgachhi, P.S. - Amour, Distt. - Purnea
3. ANOJ CHOUDHARY @ ANOJ KUMAR CHOUDHARY Son of Kailash Choudhary Resident of village - Belgachhi, P.S. - Amour, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar
For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 341, 323, 379, 325 and 504/34 of the Indian Penal Code.

3. Allegedly, the petitioner and other co-accused persons assaulted the informant by means of several weapons and also snatched Rs.2,500 from him.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such



occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. Both the sides are family members and there is an admitted land dispute between them. He further submits that the occurrence took place on 14.11.2022 but the FIR has been lodged on 09.01.2023 i.e. after a delay of about two months. He further submits that the injuries are of simple nature, which is clear from the impugned order itself. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as there is an admitted land dispute between the parties and there is a delay in lodging the FIR and also the injuries are of simple nature, 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 court below where the case is



pending/Successor Court in connection with Amour P.S. Case
No.13 of 2023, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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