

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50617 of 2023

Arising Out of PS. Case No.-77 Year-2022 Thana- NIMCHAKBATHANI District- Gaya

1. Baleshwar Choudhary @ Baldev Choudhary Late Buddhu Choudhary R/o Village-Kamalpur, P.S.-Neemchak Bathani, District-Gaya
2. Kailash Choudhary @ Anant Abhishek Son of Sita Sharan Choudhary R/o Village-Kamalpur, P.S.-Neemchak Bathani, District-Gaya
3. Dilip Choudhary @ Dilip Kumar Son of Baleshwar Choudhary @ Baldev Choudhary R/o Village-Kamalpur, P.S.-Neemchak Bathani, District-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-09-2023

Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 17, 148, 149, 341, 323, 324, 325, 307 and 379 of the Indian Penal Code.

3. As per prosecution case, petitioner no. 1 is alleged to have caused grievous injury to one Chandradev Chaudhary on his head by means of *Pasuli* and petitioner no. 3 caused fracture on right hand of grand mother of informant. So far as petitioner no. 2 is concerned, he is alleged to have caused injury on the shoulder of informant's brother, which is simple in nature.

4. It is submitted on behalf of petitioners that petitioners and informant are own *gotiya* and there is admitted land dispute between them. Petitioners have clean antecedent.



5. However, considering the nature of allegation and injury, the prayer for anticipatory bail of petitioners no. 1 & 3 is refused.

6. So far as prayer for anticipatory bail of petitioner no.2 (Kailash Choudhary @ Anant Abhishek) is concerned, in the event of arrest/surrender within a period of six weeks from today, he is directed to be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Gaya in connection with Neemchak Bathani P.S. Case No. 77 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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