

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53284 of 2023

Arising Out of PS. Case No.-49 Year-2023 Thana- BELA INDUSTRIAL District-
Muzaffarpur

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GUDDU CHAUDHARY S/o- SHIVNATH CHAUDHARY Village-
Raghunathpur Jagdish Ps- Mushari Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

- 2 28-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in connection
with Bela P.S. Case No. 49 of 2023 registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 324, 353,
504, 506, 427 of the Indian Penal Code.
3. As per prosecution case, petitioner alongwith four
named and 25-30 unknown persons assaulted the raiding party.
It is further alleged that petitioner alongwith his brother Munna
Chaudhary assaulted the constable Ratan Kumar and tried to
snatch his pistol.
4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence as alleged



in the FIR and he has falsely been implicated in this case. Petitioner bears two criminal antecedent which is not similar to the present case. Learned counsel further submits that as per F.I.R. no recovery of any liquor was made from the shop and police made false allegation that they have got injury from the people who gathered there. He further submits that statement of police is not trustworthy in view of the fact that they were in large number with arms. Nothing has been recovered from conscious possession of the petitioner. Learned counsel further submits that co-accused Munna Kumar and others have granted anticipatory bail vide Cr. Misc. No. 53465 of 2023 by a co-ordinate bench of this court and the case of present petitioner stands more or less on similar footing.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, co-accused persons have already been granted anticipatory bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of



Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Bela P.S. Case No. 49 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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