

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75251 of 2023

Arising Out of PS. Case No.-133 Year-2020 Thana- CHACKMEHSI District- Samastipur

ASHUTOSH CHOUDHARY SON OF ANAND CHOUDHARY @ NAND
KISHOR CHOUDHARY RESIDENT OF VILLAGE- SAIDPUR, P.S.
CHAKMEHSI, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Namita Sharma, Advocate Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s	:	Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 341, 342, 323, 384, 386, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, allegation against this petitioner is that he called the son of the informant and his friend through telephone call and when they reached there then all the F.I.R. named accused persons including this petitioner abused and assaulted them and took his motorcycle and mobile phone. It is further alleged that the accused persons confined son of the informant and demanded extortion of Rs. 2 lacs from the informant.



4. It is submitted on behalf of the petitioner that the present case is counter blast of Chakmehsi P. S. Case No. 132/20 which was lodged by mother of this petitioner against son of the informant. As a matter of fact, son of the informant, Rahul Kumar, committed theft in the house of the petitioner and when he was caught by the family members of the petitioner with motorcycle then Rahul Kumar and one Subhash forcibly took the motorcycle and they also intimidated this petitioner and his family members. He further submits that no such occurrence as alleged in the F.I.R. has ever taken place. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State opposes the bail application.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 Judicial Magistrate, 1st Class, Samastipur in connection with Chakmehsi P. S. Case No. 133 of 2020, subject to condition as laid down under Section 438(2) of the Code of



Criminal Procedure.

(Prabhat Kumar Singh, J)

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