

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33699 of 2024

Arising Out of PS. Case No.-466 Year-2023 Thana- WAJIRGANJ District- Gaya

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Brahamdeo Chaudhary @ Bramdev Chaudhary son of Late Tetar Chaudhary
R/O- vill- Talli, P.S - Wazirganj, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Wazirganj P.S. Case No. 466 of 2023 registered for the offences punishable under Sections 341, 323, 384, 353, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, petitioner has assaulted the informant and encroached upon the school land. It is further alleged that petitioner used to parked his tempo in the school campus and he has given threatening to mix the poison in the mid-day meal and he also used to fight with teacher including female members.

4. Learned counsel for the petitioner submits



that petitioner is innocent and has committed no offence as alleged in the FIR. Petitioner bears no criminal antecedent. Learned counsel for the petitioner submits that petitioner and informant are co-villager and dispute has arisen on account of village politics. It has been further submitted that no assault or force has been used in the present case hence, no case under Section 353 of IPC is made out and apparently there is no allegation that any food grain or amount has been delivered hence, no case under Section 384 of IPC is made out. Learned counsel further submits that petitioner is tempo driver and informant is teacher of village school. In the light of aforesaid facts and circumstances, all the allegation are made against the petitioner with ulterior motive. It is further submitted that the present case has also been compromised between the parties and a separate compromise has also been filed in the trial court.

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

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioner,



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 their 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) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Gaya in connection with Wazirganj P.S. Case No. 466 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

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