

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36730 of 2024

Arising Out of PS. Case No.-168 Year-2023 Thana- AMDABAD District- Katihar

Lakhan Choudhary @ Ramlakhan Choudhary S/O Late Raju Choudhary R/O
Village- Kasba Tola, Gadai Diyara, Ward No. 11, P.S- Amdabad, Distt.-
Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 14-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Amdabad P.S. Case No. 168 of 2023 dated 01.07.2023, lodged under Sections 147, 148, 149, 341, 323, 307, 302, 504 of the Indian Penal Code pending before the learned Judicial Magistrate 1st Class, Katihar.

3. As per the prosecution story, FIR has been lodged against 11 named accused persons including the present petitioner against whom there is an allegation that they have attacked the informant's husband due to which he died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the specific allegation is against one Rajesh Choudhary who assaulted by lathi, danda on the head of the informant's husband and only thing against the petitioner is that



his criminal antecedent is not clean as there are two criminal cases pending against the petitioner in which in both the cases, he is on bail. Counsel further submits that the petitioner is ready to fulfil all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

8. It is directed to the petitioner to surrender before the learned Court below within a period of 4 weeks from today. In case, the petitioner surrendered within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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