

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40210 of 2024

Arising Out of PS. Case No.-106 Year-2023 Thana- BELDOUR District- Khagaria

1. Govind Chaudhary @ Govind Kumar Son of Hakru Chaudhary Resident of Village -Bhakhna Basa Ps- Alamnagar District -Madhepura
2. Sovind Chaudhary @ Sovin Kumar Son of Hakru Chaudhary Resident of Village -Bhakhna Basa Ps- Alamnagar District -Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh, Adv.

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 20-09-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Beldaur P.S. Case No. 106 of 2023 registered for the offences punishable under Sections 341, 323, 325, 307, 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, 10-12 unknown persons assaulted the Informant and his son by means of butt of the rifle and one of the accused also made fire. It is further alleged that one bullet hit in the right hip of the Informant. Accused persons also fired on Amit Kumar which passed from his ear.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case due to land dispute and dirty village politics. The petitioners are not named in the F.I.R. as the same has been instituted against 10 to 12 unknown persons and their name has transpired in this case in course of investigation. He further submits that the injury report is contrary to the F.I.R. and no final report was obtained by the police. During investigation, no substantive evidence has come against the petitioners. He further submits that there is no specific or direct allegation of any overt act against the petitioners rather the same are general and omnibus in nature. The petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioners have no concern with the alleged occurrence. The police after investigation has submitted charge-sheet under Section 341, 323, 325, 307, 379/34 of the I.P.C. and Section 27 of the Arms Act.

5. Learned counsel for the petitioners further submits that the co-accused Gurudeo Choudhary @ Gurudev Choudhari has been granted regular bail by this Court vide order dated 26.07.2024 passed in Cr. Misc. No. 39557 of 2024.

6. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioners as also there being no criminal antecedent of the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Beldaur P.S. Case No. 106 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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