

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52066 of 2024

Arising Out of PS. Case No.-259 Year-2024 Thana- BUXAR District- Buxar

1. Janardan Choudhary @ Janardan Chaudhary S/o Late Shiv Pujan Choudhary R/o Mohalla- Syndicate Budhanpurwa, P.S- Buxar Town, Distt.- Buxar.
2. Shatrughan Choudhary S/o Janardan Choudhary R/o Mohalla- Syndicate Budhanpurwa, P.S- Buxar Town, Distt.- Buxar.
3. Hira Choudhary @ Hira Kumar S/o Shatrughan Choudhary R/o Mohalla- Syndicate Budhanpurwa, P.S- Buxar Town, Distt.- Buxar.
4. Ganesh Choudhary @ Ganesh Kumar S/o Ghanshyam Choudhary R/o Mohalla- Syndicate Budhanpurwa, P.S- Buxar Town, Distt.- Buxar.
5. Uday Choudhary S/o Janardan Choudhary R/o Mohalla- Syndicate Budhanpurwa, P.S- Buxar Town, Distt.- Buxar.
6. Radhe Shyam Choudhary S/o Janardan Choudhary R/o Mohalla- Syndicate Budhanpurwa, P.S- Buxar Town, Distt.- Buxar.
7. Shiv Sagar Choudhary S/o Janardan Choudhary R/o Mohalla- Syndicate Budhanpurwa, P.S- Buxar Town, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2024 Heard Mr. Amit Kumar Pandey, learned counsel for the petitioners as well as Mr. Chandra Sen Prasad Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Buxar Town P.S. Case No. 259 of 2024, F.I.R. dated 14.05.2024 for the offences punishable under Sections 147, 149, 341, 323 and 307 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including these petitioners have brutally assaulted the



informant and his family members by means of deadly weapons.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that there is case and counter case between the parties. He further submits that from perusal of the F.I.R it appears that there is allegation against these petitioners that they have assaulted the informant and his family members. Although the informant has received injury but the injury report of the informant as well as his family members suggest that the injuries are simple in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent, the injuries inflicted upon the injured persons are simple in nature and there is case and counter case between the parties, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Buxar Town P.S. Case No. 259 of



2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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