

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53351 of 2023

Arising Out of PS. Case No.-355 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

1. ASHOK CHOUDHARY S/O NAND KISHOR CHOUDHARY R/O VILLAGE- BHELAI, P.S- UDWANT NAGAR, DISTT.- BHOJPUR AT ARA.
2. KAMLESH CHOUDHARY @ KAMLESH KUMAR CHOUDHARY S/O NAND KISHOR CHOUDHARY R/O VILLAGE- BHELAI, P.S- UDWANT NAGAR, DISTT.- BHOJPUR AT ARA.
3. RAJ KUMAR CHOUDHARY S/O NAND KISHOR CHOUDHARY R/O VILLAGE- BHELAI, P.S- UDWANT NAGAR, DISTT.- BHOJPUR AT ARA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 12-03-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504, 379 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the present case. It is further submitted that specific allegation of assault is against Ashok Choudhary (petitioner no. 1) who is alleged to have assaulted the informant by danda causing injury on his head. As far as other accused



persons are concerned, allegation against them is of assaulting with lathi and danda but then the allegation is not specific. It is next submitted that though allegation of assault is there but then the impugned order does not record about the nature of the injury on which learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners and submits that the order impugned at para 7 clearly records that injury report of the injured is annexed with the petition and from perusal of the same, it appears that the informant suffered serious injury and CT Scan was done and was referred to the PMCH.

4. Considering the submissions made by the learned A.P.P., the Court is not inclined to entertain the prayer for anticipatory bail of the petitioners in connection with Udwant Nagar P.S. Case No. 355 of 2019 pending in the Court of learned Chief Judicial Magistrate, Bhojpur at Ara/successor Court.

5. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Satyavrat Verma, J)

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