

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65638 of 2024

Arising Out of PS. Case No.-378 Year-2024 Thana- BUXAR District- Buxar

1. Nand Lal Choudhary S/o Bihari Choudhary @ Bihari Prasad R/o vill - Charitravan, ward no. 6, P.S. - Buxar (Town), Distt. - Buxar
2. Nand Kishore Choudhary @ Mithun Choudhary S/o Bihari Choudhary @ Bihari Prasad R/o vill - Charitravan, ward no. 6, P.S. - Buxar (Town), Distt. - Buxar
3. Manish Kumar @ Manish Kumar Choudhary S/o Nand Lal Choudhary R/o vill - Charitravan, ward no. 6, P.S. - Buxar (Town), Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Rai Sharma, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Buxar (Town) P.S. Case No. 378 of 2024 dated 17.07.2024, instituted for the offence punishable under Sections 191(2), 190, 126(2), 115(2), 352, 109, 351 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on 17.07.2024 at about 09:00 am, the informant was getting the construction work done on his land then the petitioners along with other accused persons armed with weapons came there and



started abusing the informant, when the informant objected then Nand Lal Choudhary and Nand Kishore Choudhary assaulted him with stick and injured him and Manish Kumar hit him on the head with iron rod due to which his head got fractured and blood started oozing out. When the father of the informant came to save him then he was also assaulted by the accused persons.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further stated that both the sides are neighbours. It is further submitted that there is general and omnibus allegation against Nand Lal Choudhary (petitioner no. 1) and Nand Kishore Choudhary (petitioner no. 2). Manish Kumar (petitioner no.3) is said to have assaulted with iron rod on the head of the informant. It is further submitted that the cause of occurrence is very petty issue. However the efforts of the relatives of both the sides, both the parties have compromised the matter and they do not want to pursue the case. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Buxar (Town) P.S. Case No. 378 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds 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, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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