

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71394 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- DIDARGANJ District- Patna

-
1. Upendra Choudhary @ Upendra Kumar @ Opendra Choudhary S/O Bhola Choudhary R/O Village- Baratpur, P.S- Didarganj, Distt.- Patna.
 2. Akhilesh Choudhary @ Kumar Akhilesh S/O Bhola Choudhary R/O Village- Baratpur, P.S- Didarganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Didarganj P.S. Case No. 126 of 2024 instituted under Sections 341, 323, 448, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, the accused persons including these petitioners came at the house of the informant and assaulted him with *lathi*, iron rod and *pistol butt* causing injury to him.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case due to previous enmity. He further submits that the allegations levelled against the petitioners are general and omnibus. The petitioners and the informant are co-villagers and



have some dispute with respect to drainage. The mother of the petitioners has earlier lodged a case against the informant of the present case. It is further submitted that similarly situated co-accused persons have already been granted anticipatory bail by this Court vide order dated 04.09.2024 passed in Criminal Miscellaneous No. 57154 of 2024. The petitioners have no criminal antecedent and undertake to cooperate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to each to the satisfaction of the learned MS Somayan Shakhar, J.M., Patna City in connection with Didarganj P.S. Case No. 126 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

Harish/-

U		T	
---	--	---	--

