

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1454 of 2025

Arising Out of PS. Case No.-253 Year-2024 Thana- DALSINGHSARAI District- Samastipur

1. AMIT KUMAR CHOUDHARY @ AMIT CHOUDHARY S/O JULUM CHOUDHARY R/o vill - Nagargama, P.S.- Dalsinghsarai, Distt.- Samastipur
2. Gopal @ Gopal Choudhary S/o Binda Lal Choudhary R/o vill - Nagargama, P.S.- Dalsinghsarai, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ujjwal Kumar
For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-02-2025 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 191(2), 191(3), 190, 126(1), 115(2), 118(1), 303, 352, 351(1), 76 of the B.N.S. Act, 2023.

3. Learned counsel for the petitioners submits that petitioners have antecedent of two cases and the informant alleges that the accused persons including the petitioners came and started cutting her standing crop on her land, on protest, Amit assaulted the informant by rod causing injury on head and Gopal assaulted her by lathi causing injury on head, while



Nakshtra snatched her chain on point of pistol and Gopal on point of pistol made her son sign on two blank papers and Amit tried to strangle her son.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that occurrence is alleged to have taken place on account of dispute relating to land. It is further submitted that the date of occurrence is 21.07.2024 but the F.I.R. came to be instituted on 10.08.2024 based on a written complaint of the informant, hence there was a delay of 18 days in instituting the F.I.R. which casts an aspersion on the case of the prosecution. It is also submitted that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

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

6. Considering the submissions made by the learned counsel for the petitioners, 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 trial court where the case is pending/successor court in connection with Dalsinghsarai P.S. Case No. 253/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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