

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30332 of 2018

Arising Out of PS. Case No.-56 Year-2018 Thana- PAKARIBARAW District- Nawada

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1. Sunil Chauhan, S/o Ram Khelawan Chauhan,
2. Adhir Chauhan S/o Ram Khelawan Chauhan,
Both are R/o Vill.- Chariari, P.S.- Pakribarawan, District-
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Adv.
For the Informant : Mr. Niranjan Kumar, Adv.
For the State : Mr. Anant Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

Learned counsel for the petitioners submits that the
petitioner no.2 has been arrested.

That being so, this application has become
infructuous as against the petitioner no.2, namely, Adhir Chauhan.

In this case, the petitioner is apprehending his arrest
in connection with Pakribarawan P.S. Case No. 56 of 2018
registered for offences under sections 147, 148, 341, 323, 307,
379, 504/506 of the Indian Penal Code.

An allegation has been made that on 2.3.2018, all the
accused persons came to the house and assaulted the parents of the
Informant.

Specific allegation has been made against Sunil



Chauhan and Adhir Chauhan, who has already been arrested.

Learned counsel for the petitioner submits that the alleged offence is said to have committed on 2.3.2018 whereas the case has been lodged after delay of 12 days without any explanation and the First Information Report has been received by the Magistrate on 21.3.2018. He further submits that there is a case and counter case from both sides.

Looking to the entire facts and circumstances of the case, let the petitioner no.1, namely, Sunil Chauhan, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nawada in connection with Pakribarawan P.S. Case No. 56 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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