

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17346 of 2018

Arising Out of PS.Case No. -337 Year- 2017 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Sunil Chaudhur, Son of Late Lakhan Choudhur,
2. Siyapati Devi, Wife of Late Lakhan Choudhur, Both are resident of
Village Pokhriya Tola, P.S.- Chakiya, District- East Champaran.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 17-05-2018 Heard both sides.

The petitioners apprehend their arrest in Chakiya P.S.
Case No.337/2017, registered under Sections 307 and other minor
Sections of the Indian Penal Code.

The informant named the petitioners along with other
accused persons that they all assaulted the informant with stick
and they also assaulted the grand son of the informant.

Learned counsel for the petitioners submits that the
petitioner no.2 is a lady. There is no specific allegation of assault
against any of the accused persons. The informant sustained three
injuries, out of which, the injury found on the right wrist is opined
to be grievous. The grand son of the informant did not receive any



visible injury. It is further submitted that similarly situated co-accused namely Tuntun Chaudhu and Vijendra Choudhur have already been granted regular bail by learned court below.

Taking into consideration the fact that petitioner no.2 Siyapati Devi is a lady and there is no specific allegation of assault against her, in the event of her arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged 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 C.J.M., Motihari, in connection with Chakiya P.S. Case No.337/2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the case of the petitioner no.1 is concerned, there is allegation that the petitioner and others indiscriminately assaulted the informant and also caused fracture injury on her wrist, besides two injuries found on the shoulder and occipital parietal region, hence I am not inclined to enlarge the petitioner no.1 namely Sunil Chaudhur on anticipatory bail. Accordingly, the same is rejected.

If the petitioner no.1 surrenders in the court below, the learned court below shall consider the regular bail of the petitioner



taking into consideration that similarly situated co-accused have already been granted regular bail.

(Prabhat Kumar Jha, J)

Amit/-

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