

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.64046 of 2018

Arising Out of PS. Case No.-180 Year-2018 Thana- CHOUTARWA District- West
Champaran

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1. Kusum Devi, W/o Pharindra Chaubey,
2. Anil Chaubey, S/o Harendra Chaubey,
Both residents of Village- Siswa, Basantpur, P.S.- Chautarwa,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr. Singh No. 1, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 13-12-2018 Heard the learned counsels for the petitioners,

informant and the State.

The petitioners seek bail in anticipation of their
arrest in connection with Chautarwa P.S. Case No. 180 of
2018, dated 06.08.2018, instituted for the offences under
Sections 341, 342, 323, 324, 504, 506 and 354/34 of the
I.P.C.



The informant has alleged that while she was coming back home after attending a telephone call made by her son, the petitioners and one Farindra Choubey caught hold of her and assaulted her. It has been alleged that the husband of petitioner No. 1 assaulted the informant on her head by an iron rod. The daughter of the informant was also assaulted by all the accused persons including the petitioners.

The learned counsel for the petitioners has submitted that so far as the assault on the informant is concerned which has led to grievous injury on her person, is not attributed to the petitioners rather is attributable to the assault made by the husband of petitioner No. 1. The daughter of the informant though is alleged to have been assaulted by all the accused persons including the petitioners, but she has received simple injuries. It has further been pointed out that the informant is the neighbour of the petitioners and the dispute has erupted because of throwing of garbage at a particular place.

The petitioner No. 2 does not have any criminal



antecedents, whereas the petitioner No. 1 because of some family dispute has been made an accused in a case involving minor offences.

Considering the aforesaid facts, the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-I, Bagaha, West Champaran in connection with Chautarwa P.S. Case No. 180 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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