

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7868 of 2019

Arising Out of PS. Case No.-119 Year-2018 Thana- JAMHOR District- Aurangabad

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1. AJIT CHAUDHARY, son of Binod Chaudhary
 2. Dilip Ram, Son of Late Ram Bilash Ram
 3. Kakoo, Son of Dilkeshwar Ram
 4. Muna Ram, Son of Yogeshwar Ram
 5. Hira Chaudhary, Son of Late Keshav Chaudhary
 6. Deepak Chaudhary, son of Shyam Bihari Chaudhary Resident of Village – Shantipur, P.S.-Jamhore, District-Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2019 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered
for the offences punishable under Sections
341,342,323,324,308,379,34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report submitted by Ajit Kumar to the Station House Officer,
Jamhore Police Station is to the effect that on 05.11.2018, the
informant along with two other children went to the market, but
in the meantime, the accused persons named in the FIR dashed
the cycle of the children by his car. When compensation was
demanded by the children for damaging the bicycle, the accused



persons started abusing and assaulting them. It is further alleged that when the informant went to pacify the issue, then all the accused persons, including the petitioners variously armed assaulted the informant, causing him head injury. It is also alleged that the accused persons took away a gold chain worth Rs.30,000/- from the neck of the informant.

It is submitted by learned counsel for the petitioners that for a petty dispute, the accusation has been levelled. There is a counter version of the occurrence being Jamhore P.S. Case No.120 of 2018. The injury of the informant has been found superficial simple in nature. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State there is accusation of assault against all the accused persons.

Considering the genesis of the occurrence and the nature of the injury caused, there being a counter version of the occurrence, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on



furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad, in connection with Jamhore P.S. Case No.119 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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