

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52176 of 2019

Arising Out of PS. Case No.-170 Year-2019 Thana- CHAPRA TOWN District- Saran

1. NILAM DEVI Wife of Vijay Chaudhary Resident of Village- Bichla Telpa, P.S.- Chapra Town, District- Saran at Chapra.
2. Sanjay Chaudhary Son of Vijay Chaudhary Resident of Village- Bichla Telpa, P.S.- Chapra Town, District- Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Dr. Indivar Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-08-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Chapra Town Police Station Case No. 170 of 2019, disclosing offences under Sections 341/323/324/307/504/34 of the Indian Penal /Code.

The allegation against the petitioners, as per the First Information Report, is that the petitioners, along with others, assaulted the informant and his son by means of knife and gupti (a sharp-edged weapon).

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to



previous enmity inasmuch as both the parties are agnates and the informant is the uncle of petitioner no. 2. He further submits that there is case and counter case inasmuch as Chapra Town Police Station Case No. 166 of 2019 was lodged by the brother of the petitioner no. 2 against the prosecution side. He, relying on Annexure-3 series (injury reports), submits that the injuries sustained by the informant and his son are simple in nature.

After having heard learned Counsel for the parties and taking into consideration the fact that the injuries caused to the informant and his son are simple in nature and there is case and counter case between the parties, who are related to each other, I am inclined to grant the petitioners privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran, at Chapra, in connection with Chapra Town Police Station Case No. 170 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners



shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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