

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71227 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- NATWAR District- Rohtas

Hari Shankar Chaudhary Son of Late Laljee Chaudhary Resident of Village -
Asiya Tola, P.S.- Natwar, District- Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Arvind Kumar Pandey

For the Opposite Party : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-11-2019 Heard learned counsel for the petitioner and the learned
APP for State.

Mr. Arun Kumar Singh No.4, learned counsel for the
informant appears and files '*Vakalatnama*' which is taken in
record.

Petitioner apprehend his arrest in connection with
Natwar P.S. Case No. 55 of 2019 instituted for the offence
under Section(s) 341 323, 324, 325, 379, 307 and 506/34 of the
Indian Penal Code. Subsequently Section 302 of the IPC was
added.

The accusation is that 11 persons, named in the F.I.R,
including the petitioner, in the way, started to abuse the
informant and assaulted him through slaps. At that time, on the
order of Dharmpal Chaudhary, Ramyash Kumar gave spade



blow at the forehead of the uncle of the informant due to which the uncle of the informant sustained cut injury on his forehead and the blood started oozing out. In the meantime, Rameshwar Chaudhary caused fracture injury through *lathi* at the left hand of the uncle of the informant, due to which he fell down and became unconscious. Thereafter, the informant along with others took his uncle to the hospital at Dinara for treatment and, thereafter, he was referred to Sasaram for better treatment.

Petitioner's counsel submits that it would appear from the FIR that while the petitioner is named in the FIR along with 10 others but no specific overt act is attributed to him. The specific allegation to cause injury to the uncle of the informant is against Ramyash Kumar and Ramshwar Chaudhary. The petitioner has no criminal antecedent. Learned counsel for the petitioner further highlights that other similarly situated co-accused persons of instant case have already been allowed bail by a Co-ordinate Bench of this Court under order dated 21.10.2019 passed in Cr Misc. no. 63993 of 2019.

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner before the court below, named above, within four (04) weeks from today, he shall be released



on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **SDJM-1st Class, Bikramganj, Rohtas**, in connection with **Natwar P.S. Case No. 55 of 2019**, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shyambihari/-

U		T	
---	--	---	--

