

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38606 of 2020

Arising Out of PS. Case No.-167 Year-2020 Thana- SONO District- Jamui

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1. Bhikhari Chaudhary, Son of Ragho Chaudhary
 2. Binod Chaudhary, Son of Ramdeo Chaudhary
- Both are resident of Village- Gorba Matihani, P.S.- Sono, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 28-06-2021 Heard Mr. Krishna Prasad Singh, the learned

Senior Advocate for the petitioners and the learned APP for

the State.

The petitioners seek bail in anticipation of their

arrest in connection with Sono P.S. Case No. 167 of 2020,

dated 08.07.2020, instituted for the offences under Sections

147, 149, 341, 323, 307, 354, 379, 504 and 506 of the

Indian Penal Code.



It has been alleged in the F.I.R. that at the time when a *Panchayati* was going on, the accused persons including the petitioners started assaulting the husband of the informant. When this was protested, the petitioners assaulted and attempted to disrobe the informant.

It has been submitted on behalf of the petitioners that an absolutely false and concocted case has been lodged against the petitioners. It has further been submitted that the absurdity of the allegation would appear from the bare reading of the F.I.R. in as much as, the allegation against the petitioners of misbehaving with the informant has been alleged to have been committed in front of the entire village where the *Panchayati* was taken place. It has therefore been urged that such allegation cannot be accepted to be true, especially in view of the counter version of the occurrence.

It has further been alleged on behalf of the petitioner that the husband of the informant is a habitual drunkard and after consuming liquor, he used to create problems. Apart from this, it has been submitted that



according to the F.I.R. itself, there appears to be a clear motive for falsely implicating the petitioners in this case. The motive assigned in the F.I.R. for the occurrence is the dispute over a passage of land.

The injuries suffered by the victims have been reported to be simple in nature.

Considering the entire background facts of the case, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Jamui, in connection with Sono P.S. Case No. 167 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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