

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1873 of 2021

Arising Out of PS. Case No.-84 Year-2020 Thana- NAVINAGAR District- Aurangabad

1. SANTOSH CHAUHAN S/o Ramchandra Chauhan Resident of Village - Chapri, P.S. - Nabinagar, District - Aurangabad.
2. AJIT CHAUHAN S/o Ramchandra Chauhan Resident of Village - Chapri, P.S. - Nabinagar, District - Aurangabad.
3. VICKY CHAUHAN S/O- Ramchandra Chauhan Resident of Village - Chapri, P.S. - Nabinagar, District - Aurangabad.
4. RAMCHANDRA CHAUHAN S/O Late Lakhan Chauhan Resident of Village - Chapri, P.S. - Nabinagar, District - Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 307, 341, 323, 325, 326, 504/34 of the Indian Penal Code.

Allegation is that the petitioner No.1 having rami in his hand assaulted the wife of the informant on her head, due to



which she sustained injury and fell down. Thereafter the other accused persons assaulted her and when his daughter came to save her, she was also assaulted by them by means of lathi and danda.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made. The nature of injury is said to be simple. Hence, no offence under Section 307 of the I.P.C. is made out. At best, it is an offence under Section 324 I.P.C.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned A.C.J.M.-I, Aurangabad in connection with Nabinagar P.S. case No.84 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



Once the normalcy is restored, the petitioners will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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