

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83689 of 2019

Arising Out of PS. Case No.-274 Year-2019 Thana- DURGAWATI District- Kaimur (Bhabua)

1. CHANDRA MOHAN KUMAR @ MONU YADAV @ MOHAN YADAV
Son of Ghuyees Yadav @ Butarv Yadav Resident of Village- Dhaneksha,
P.S.- Durgawati, District- Kaimur at Bhabua.
2. Chandan Yadav Son of Mahendra Yadav @ Surendra Yadav Resident of
Village- Dhaneksha, P.S.- Durgawati, District- Kaimur at Bhabua.
3. Ankit Singh Son of Sunil Kumar Singh Resident of Village- Dhaneksha,
P.S.- Durgawati, District- Kaimur at Bhabua.
4. Chanda Ansari Son of Manager Ansari Resident of Village- Dhaneksha, P.S.-
Durgawati, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

8 16-11-2021 By order dated 12-02-2021, prayer for anticipatory bail
of the petitioner Nos. 1 and 3 has already been dismissed as
withdrawn.

Heard learned counsel for the petitioner Nos. 2 and 4
and the State.

The petitioner Nos. 2 & 4 are apprehending their arrest in
a case registered for the offence under Sections 323, 341, 379,
504, 307/34 of the Indian Penal Code.

Allegedly, while the informant after making complaint to
the Head Master of the School about teasing the girls, was



returning, the accused persons having armed with iron rod, Lathi and Pistol encircled and began to hurl abuses which the informant protested upon which the accused persons assaulted the informant and his companions. A gold chain is also alleged to have been snatched away.

It has been submitted on behalf of the petitioner Nos. 2 and 4 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against them. From perusal of the report submitted by the Superintendent of Police, Kaimur at Bhabua, it is evident that the injury report of Pushpendu Choubey is not available on record. Hence, it cannot be ascertained as to whether nature of injury is grievous or simple. The prosecution has failed to prove the case for offence under Section 307 of the Indian Penal Code in absence of the injury report of the victim, Puspendu Choubey.

On behalf of the State, it is submitted that the petitioner Nos. 2 and 4 are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner Nos. 2 and 4 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 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, Kaimur at Bhabua in connection with Durgawati P.S. Case No. 274 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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