

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6370 of 2022

Arising Out of PS. Case No.-425 Year-2021 Thana- SUGAULI District- East Champaran

1. PRAMOD CHAUDHARY @ PRAMOD KUMAR CHAUDHARY Son of Harishankar Prasad Resident of Village - Sugauli Ward No. 17, P.S. - Sugauli, District - East Champaran at Motihari.
2. Radha Kumari wife of Pramod Chaudhary @ Pramod Kumar Chaudhary Resident of Village - Sugauli Ward No. 17, P.S. - Sugauli, District - East Champaran at Motihari.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 143, 341,
323, 353, 324, 307, 379, 427, 504 and 506 of the Indian Penal
Code.

Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and petitioner no.
2 is a woman.

The informant alleges that on 30.09.2021 at 10:00



a.m. when he was performing his duty in the office of the B.D.O. then the petitioners who are Vikas Mitras entered the office and created obstruction in discharge of official duty. It is alleged that Rishu Kumar and Pramod Chaudhary (petitioner no.1) caught both the hands of the informant and Vinay Ram assaulted by a sharp edged weapon on the head causing injury and thereafter it is alleged that when the informant fell down then all the Vikas Mitras assaulted him with fists and slaps and Sunita Devi snatched gold chain from his neck apart from other allegations as detailed in the FIR.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case and the informant is a contractual employee in the office of the BDO and was in habit of teasing the female Vikas Mitras on account of which there was a protest. He further submits that one of the Vikas Mitras, namely, Ranju Kumari instituted Sugauli P.S. Case No. 429 of 2021 against the informant and his associates. He next submits that no doubt the occurrence had taken place but then the reason and the motive behind the occurrence was of teasing one lady Vikas Mitra, namely Ranju Kumari as would be evident from Sugauli P.S. Case No. 429 of 2021. He also submits that no doubt it is alleged that petitioner no. 1 had



caught one of the hands of the informant and thereafter Vinay Ram assaulted but then the injury is simple in nature caused by hard and blunt substance when in the FIR it is alleged that assault was by sharp edged weapon.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sugauli P.S. Case No. 425 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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