

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32049 of 2021

Arising Out of PS. Case No.-117 Year-2020 Thana- NIMCHAKBATHANI District- Gaya

1. Indal Choudhary S/O Shakaldeo Choudhary R/o village- Singha, P.S.-
Neemchak Bathani, District- Gaya
2. Sunita Devi W/o Ramwali Choudhary R/o village- Singha, P.S.- Neemchak
Bathani, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-06-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 341, 323,
307, 504/34 of the Indian Penal Code.

According to prosecution case, on 14.06.2020 the
informant was at his maize field then he saw that three to four
goats of petitioners were grazing his maize then he told about
this to Rambali Chaudhary then they started quarreling and the
above named petitioners alongwith others came with Lathi
Danda in their hands and started assaulting when the son and
wife of informant came to save him then they also assaulted



them, resultantly his son received head injury and his wife received hand injury.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons including this petitioners. He further submits that the injury report does not support the allegation as alleged in the F.I.R. and the injury report suggest that the injury is simple in nature.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Neemchak Bathani P.S. Case No. 117 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

1. Petitioners shall co-operate in the trial



and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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