

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39721 of 2021

Arising Out of PS. Case No.-109 Year-2021 Thana- JAGDISHPUR District- Bhojpur

1. Chandan Choubey @ Abhishek Choubey, S/O Surendra Choubey R/O Village-Dawan, P.S-Jagdishpur, District-Bhojpur.
2. Rajesh Choubey @ Rajesh Kumar Choubey, S/O Surendra Choubey R/O Village-Dawan, P.S-Jagdishpur, District-Bhojpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rina Sinha

For the Opposite Party/s : Ms. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 27-06-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are the own brothers and the informant alleges that on account of money dispute in between the parties at the time of alleged occurrence, the present petitioners assaulted the informant by means of knife, katta and lathi and also snatched away a golden chain from the neck of the informant during the occurrence.



The learned counsel for the petitioner submits that petitioners have been falsely implicated in the present case. The informant was owing money of the petitioner and when the petitioner went to ask for their money, the informant abused, on which the present occurrence took place. The learned counsel submits that no doubt the occurrence had taken place, but then it was the informant, who has started even assaulted the petitioner. It is next submitted that no doubt, the injury has been found on vital part of the body, but then the injuries are simple in nature and injury nos. 1 and 2 are lacerated while injury no.3 is said to be scalp deep over occipital part bleeding profusely caused by sharp and pointed object. It is again submitted that at the cost of repetition that injuries are simple and the petitioners are persons with clean antecedent and even assuming what has been alleged is true without admitting for the purpose of bail, then it is their first offence.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners and the fact that injuries are simple in nature and the petitioners are persons with clean antecedent, 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, 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 Court below where the case is pending in connection with Jagdishpur P. S. Case No.109 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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