

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34212 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- ANTI District- Gaya

Chatarbali Chaudhary, Son of Lakhan Chaudhary, Resident of Village -
Kalayanpur, Police Station- Anti, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing..

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Aanti P.S. Case No. 08 of 2022 registered for the alleged offences under Sections 147, 148, 149, 342, 325, 307, 448 and 379 of the Indian Penal Code.

As per prosecution case, the petitioner and other FIR named co-accused persons assaulted the father of the informant and also took away cash and jewellery worth Rs. 5 lakhs. The occurrence took place in the background of dispute over right of way between the petitioner and the informant.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The present case is counter blast of Aanti P.S. Case No. 09 of 2022 in which the petitioner is the informant and the petitioner and his family members were assaulted by the informant of this case and his family members causing a number of injuries to them and they also took Rs. 25,000/- and the ornaments of the bride when the petitioner was performing rituals in a marriage ceremony. Learned counsel further submits that there is only general and omnibus allegations against the petitioner and other co-accused persons and no specific overt act has been made against this petitioner. Petitioner is in custody since 23.02.2022. Petitioner is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no specific overt act has been attributed to the petitioner and the allegations are mostly general and vague and further considering the case and counter case between the parties, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gaya, in connection with



Aanti P.S. Case No. 08 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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