

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34601 of 2022

Arising Out of PS. Case No.-34 Year-2020 Thana- GHANSHYAMPUR District- Darbhanga

1. CHANDRA REKHA DEVI W/o Ashok Choupal Resident of Village - Harsinghpur, P.s - Ghanshyampur, Distt.- Darbhanga.
2. DEWAN CHAUPAL Son of Laxmi Choupal Resident of Village - Harsinghpur, P.s - Ghanshyampur, Distt.- Darbhanga.
3. DASAI CHAUPAL Son of Saryug Chaupal Resident of Village - Harsinghpur, P.s - Ghanshyampur, Distt.- Darbhanga.
4. AGAM LAL CHAUPAL Son of Dasai Chaupal Resident of Village - Harsinghpur, P.s - Ghanshyampur, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 427, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no. 1 is a woman and the informant alleges that on account of dispute relating to land on orders of Ashok, accused Paltu dashed the informant with his tractor causing injury on left



hand, thereafter, Ashok assaulted him with sword on head and Paltu by rod causing injury on head, it is next alleged that at that time, the accused persons including the petitioners also came variously armed and assaulted the informant injuring him, further his brother was also assaulted by Ashok by sword causing cut injury on his head, thereafter his family members including his brother were assaulted by family members of Ashok, further accused also damaged the house of his aunt Sunar Devi, the informant was treated in a hospital.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that from perusal of the allegation, it would manifest that allegation of assault is against Ashok and Paltu and as far as these petitioners are concerned, the allegation of assault against them is general and omnibus in nature. It is also submitted that from the side of the petitioner Ghanshyampur P.S. Case No. 33 of 2020 was instituted against the informant and their side.

Learned counsel for the petitioners very fairly submits that from perusal of Annexure-4, it would manifest that three injuries were suffered by the injured out of which two injuries are simple and one injury is grievous but then allegation of



assault is not specific against the present petitioners.

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 trial court 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 trial court where the case is pending/successor court in connection with Ghanshyampur P.S. Case No. 34 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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