

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46918 of 2022

Arising Out of PS. Case No.-208 Year-2022 Thana- GOPALPUR District- Patna

CHANDESHWAR RAI @ CHANDESHWAR KUMAR S/O HARI RAI
Resident of village- Sahpur, P.S.- Gopalpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2022 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323 and 302 of the Indian Penal Code.

The informant alleges that accused persons including the petitioner entered her house and asked the whereabouts of her husband and son, thereafter, the accused persons including the petitioner assaulted her mother-in-law, son and her husband, further mother-in-law was treated at home while her husband and son were hospitalized, it is next alleged that out of fear no case was instituted, further when they were discharged, accused persons again came to



the house and asked about their whereabouts and when her mother-in-law did not disclose, Ankit gave orders to kill, thereafter, accused persons assaulted her by legs and fists and Ajit along with Raj Kumar pressed her abdomen with legs and also assaulted her and when the informant intervened she was also assaulted, it is next alleged that her mother-in-law was declared brought dead by the hospital.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and has been falsely implicated in the present case, it is next submitted that the deceased was in between 90-95 years and on account of old age she died, it is further submitted that even presuming what has been alleged is true without admitting then specific allegation of assault is against Ajit and Raj Kumar. Learned counsel next submits that petitioner is a Reporter in BN24live and he is son-in-law of co-accused Ganga Rai and thus has been implicated falsely in the present case with general and omnibus allegation. Learned counsel next submits that even the postmortem report does not corroborate the allegation of assault as alleged in the FIR that the mother-in-law of the informant was assaulted by so



many accused persons rather she had some bruises and laceration on her hand and leg which may have been caused on account of fall, it is further submitted that petitioner will not evade the law and will cooperate in the investigation and will present himself as and when required by the investigating officer of the case.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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) 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 Gopalpur P.S. Case No. 208 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event, if the investigating officer of the case files an application before the learned trial Court bringing to its notice that the petitioner despite giving



assurance to this Court is not cooperating in the investigation or is not presenting himself when called the learned trial Court after giving an opportunity of hearing to the petitioner shall pass orders in accordance with law and shall also have liberty to cancel his bail bonds.

The learned trial Court is directed to send the copy of this Order to the concerned P.S.

(Satyavrat Verma, J)

GauravSinha/-

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