

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61048 of 2021

Arising Out of PS. Case No.-114 Year-2021 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

-
1. Harishankar Chaudhary Son of Late Deomuni Chaudhary Resident of Village - Mohanpur, P.S.- Bhagwanpur, Distt.- Kaimur at Bhabua.
 2. Rajendra Chaudhary Son of Rajmuni Chaudhary Resident of Village - Mohanpur, P.S.- Bhagwanpur, Distt.- Kaimur at Bhabua.
 3. Bikas Patel Son of Gunraj Patel Resident of Village - Mohanpur, P.S.- Bhagwanpur, Distt.- Kaimur at Bhabua.
 4. Raju Kumar Chaudhary Son of Lalmuni Chaudhary Resident of Village - Mohanpur, P.S.- Bhagwanpur, Distt.- Kaimur at Bhabua.
 5. Chandan Patel Son of Harihar Patel Resident of Village - Mohanpur, P.S.- Bhagwanpur, Distt.- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-07-2022 Learned counsel for the petitioners seeks permission to withdraw this anticipatory bail petition with regard to Harishankar Chaudhary petitioner no. 1.

Prayer is allowed. The anticipatory bail petition with regard to petitioner no. 1 is dismissed as withdrawn.

Heard learned counsel for the petitioner nos. 2, 3, 4 and 5 and learned counsel for the State.

The petitioners apprehend their arrest in Bhagwanpur P.S. Case No. 114 of 2021, registered for the offences



punishable under Section 307 and other allied sections of the Indian Penal Code.

Prosecution case in brief is that while the sons of informant were ploughing field all the accused persons assaulted them. On hearing noise informant and his niece Sabita Kumari came to rescue they were also assaulted by the accused persons. Petitioner no. 1 alleged to have assaulted the informant on her head by lathi. Petitioner no. 2 assaulted the sons of informant by means of iron rod causing grievous injury to one of them.

It is submitted that petitioners have been falsely implicated in this case. There is general and omnibus allegation against petitioner nos. 3, 4 and 5.

Counsel for informant opposed the prayer for bail.

So far as petitioner no. 2 Rajendra Chaudhary is concerned, there is allegation of assault against him by means of iron rod causing grievous injury to one of the sons of informant.

Considering the facts aforesaid, I am not inclined to enlarge petitioner no. 2 Rajendra Chaudhary on anticipatory bail. Accordingly, the same is rejected.

Having considered the fact that there is general and omnibus allegation of assault against petitioner no. 3, 4 and 5 above-named, in the event of their arrest/surrender before the



court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on 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 Additional Chief Judicial Magistrate V, Kaimur at Bhabua in connection with Bhagwanpur P.S. Case No. 114 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

