

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9307 of 2021

Arising Out of PS. Case No.-230 Year-2020 Thana- MANJHI District- Saran

1. RANJAN CHAUDHARY @ RANJAN KR. CHAUDHARY Son of Late Ramnath Chaudhary Resident of Village - Manjhi Chaubah Asthan, Police Station - Manjhi, District - Saran.
2. Vishal Chaudhary @ Vishal Kr. Chaudhary Son of Late Ramnath Chaudhary Resident of Village - Manjhi Chaubah Asthan, Police Station - Manjhi, District - Saran.
3. Sanjay Chaudhary Son of Late Gopal Chaudhary Resident of Village - Manjhi Chaubah Asthan, Police Station - Manjhi, District - Saran.
4. Shambhu Chaudhary Son of Late Gopal Chaudhary Resident of Village - Manjhi Chaubah Asthan, Police Station - Manjhi, District - Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Rajesh Kumar Singh
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-01-2022 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

At the outset, it is submitted by learned counsel for the petitioner that during pendency of this application, petitioner no. 3 has been arrested and, as such, he seeks permission to withdraw this application against him.

In view of the aforesaid submission, this application is dismissed as withdrawn against petitioner no. 3.

Now learned counsel for the petitioner is pressing this application only against petitioner nos. 1, 2 and 4.



Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Manjhi P.S. Case no. 230 of 2020 instituted for the offence under Sections 341, 323, 376, 511, 307, 324 and 34 of the Indian Penal Code.

Prosecution story relates to outrage the modesty of the informant, namely, Sunita Devi by accused Bhola Chaudhary and Mintu Chaudhary. When she raised alarm both the accused persons fled away from there. When the family members asked about the episode then both the accused persons along with other co-accused persons abused and assaulted the informant and her father-in-law.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case. General and omnibus allegations have been levelled against the petitioners. There is case and counter case between the parties. Both parties are agnates.



Injuries received by the persons of both sides in alleged occurrence. Injuries received by the informant and his father-in-law are simple in nature.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners nos. 1, 2 and 4 on bail. The petitioners nos. 1, 2 and 4 are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Manjhi P.S. Case no. 230 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-XIII, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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