

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71394 of 2021

Arising Out of PS. Case No.-380 Year-2020 Thana- WAJIRGANJ District- Gaya

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1. KAUSHAL KUMAR Son of Pyare Chauhan Resident of Village- Jamuawa, P.S.- Wazirganj, District- Gaya.
 2. Prahlad Kumar Son of Latar Chauhan Resident of Village- Jamuawa, P.S.- Wazirganj, District- Gaya.
 3. Ajit Chauhan Son of Late Sundar Chauhan Resident of Village- Jamuawa, P.S.- Wazirganj, District- Gaya.
 4. Chandan Chauhan Son of Sanjay Chauhan Resident of Village- Jamuawa, P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Zainul Abedin, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-08-2022 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, 379, 308, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent, they are in the age group of 19-23 years and the informant alleges that on 12.08.2020, while she along with her son and nephew was in her home, the accused persons, including the petitioner, came and



started abusing the informant's son and nephew and even assaulted them by rod and *kulhari* (axe) causing injury on their head and on alarm when Mithilesh Chauhan reached the place of occurrence, it is alleged that Kaushal Kumar, Vikas Kumar fired and threatened them to leave house and land and to handover possession and snatched the chain of the informant.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that from the side of the petitioners, Wazirganj P.S. Case No. 379 of 2020 was instituted and as such the present false case as a counterblast was instituted by the informant. It is further submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the same relates to dispute relating to land, the allegation of assault is general and omnibus in nature. It is the further submission of the learned counsel for the petitioners that petitioners are young boys and their entire career would be jeopardized if they are sent to jail based on such cryptic and vague allegations.

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 Court below 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 court below where the case is pending/successor court in connection with Wazirganj P.S. Case No. 380 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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