

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59835 of 2022

Arising Out of PS. Case No.-241 Year-2022 Thana- KUMAR KHAND District- Madhepura

HARI NARAYAN CHAUDHARY Son of Late Awadh Chaudhary Resident
of Village - Rahta Bhawanipur, P.S.- Kumarkhand, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 341, 323,
324, 354B, 379, 504/34 of the Indian Penal Code.

According to prosecution case, on 15.07.2022 in the
evening while the informant Sunit Adevi along with her son
were returning to the house from field after plucking the kidney-
bean crops, the petitioners encircled both of them on way, and
on order of petitioner Hari Narayan Chaudhary to assault, and
Navin Kumar Chaudhary alias Kanhaiya Chaudhary assaulted
with brick causing injury at her head. In the meantime, the



petitioner Hari Narayan Chaudhary assaulted to informant by dragging her on the ground causing necked her. Navin Kumar Chaudhary is alleged to have snatched away a gold-Mangalsootra from the informant. The occurrence took place for doing Bataidari land of Buchchi Chaudhary by informant.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons including the petitioner and the allegation against the petitioner is only that he is order giver. He further submits that there is specific allegation of assault is against co-accused namely, Navin Kumar Chaudhary who is son of the petitioner and said Navin Kumar Chaudhary has been granted anticipatory bail by the Court below itself.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Court below where the case is pending in connection with Kumarkhand P.S. Case No. 241 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

mdrashid/-

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

