

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4433 of 2023

Arising Out of PS. Case No.-188 Year-2020 Thana- BAIRIYA District- West Champaran

1. Kanhaiya Chaudhary S/o Late Jagdeo Chaudhary
 2. Babujan Chaudhary S/o Late Jagdeo Chaudhary,
 3. Ravi Kumar @ Ravi Chaudhary S/o Sri Kanhaiya Chaudhary
 4. Suganti Devi W/o Sri Kanhaiya Chaudhary
 5. Urmila Devi W/o Sri Ladai Chaudhary
- All are Resident of village- Bagahi, Nimiya Tola, P.S.- Bairiya, District- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Advocate
For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The accused/petitioners are named in the FIR and apprehending their arrest in connection with Bairiya P.S. Case No.188 of 2020 registered for the offences punishable under Sections 147, 341, 323, 324, 325, 307, 379 and 504 of the Indian Penal Code.

Allegation against the petitioners is to assault informant and others by means of iron rod, farsa etc. along with other co-accused persons causing bodily injuries, having intention to cause their death, where occurrence is alleged to have been founded upon neighbourhood disputes and differences.

It is submitted by learned counsel that from bare



perusal of FIR, the thrust of allegation as regard to causing physical assault is available against co-accused Loha Choudhary, Ramchhetri Choudhary and Ravi Choudhary, who are not petitioners, whereas allegation against petitioners are very much general and omnibus where petitioner no.4 and 5 are ladies. It is further submitted that all petitioners are of clean antecedent.

Learned APP opposes the prayer for bail.

In view of the above-mentioned facts and circumstances and by taking note of nature of allegation as regard to assault which is not appears to be available against the above-named petitioners, accordingly in the event of their arrest or surrender in the court below within a period of four weeks of this order, they are directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, West Champaran, Bettiah in connection with Bairiya P.S. Case No.188 of 2020, subject to the conditions as laid down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

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