

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6576 of 2023

Arising Out of PS. Case No.-571 Year-2022 Thana- MAKHDUMPUR District- Jehanabad

1. Triloki Chauhan Son Of Late Ruplal Chauhan R/V- Dhira Bigha, P.S.- Makhdumpur (Tehta O.P.), Dist- Jehanabad
2. Dharmendra Kumar @ Dharmendra Son Of Triloki Chauhan R/V- Dhira Bigha, P.S.- Makhdumpur (Tehta O.P.), Dist- Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nitya Nand Neeraj
For the Opposite Party/s	:	Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 452, 323, 325, 307,379, 34 of the Indian Penal Code.

Petitioners are said to have assaulted the informant by means of iron rod on her head with intention to kill her which hit into right hand and back.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the petitioner no. 1 and husband of the informant both are own brother and there is land dispute between the parties. He further submits that petitioners have no



criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that the petitioners are named in the FIR and there is specific allegation against them of causing assault with iron rod to the injured Siya Devi. He submits that the investigation is still going on.

Considering the facts and circumstances of the case and the fact that the petitioner no. 2 assaulted the informant by means of iron rod and injury found upon her is simple in nature, let the above named petitioner no. 2 in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) 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 Makhdumpur (Tehta O.P.) P.S. Case No. 571 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

So far as petitioner no. 1 is concerned, he assaulted the informant by means of iron rod upon her head and the injury found upon the victim is grievous in nature, I am not inclined to enlarge the petitioner no. 1 on bail. Accordingly, his



prayer for anticipatory bail is rejected in connection with the
aforesaid case.

(Anjani Kumar Sharan, J)

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