

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7955 of 2023**

Arising Out of PS. Case No.-211 Year-2022 Thana- RAGHUNATHPUR District- Siwan

1. SHAMBHU BARAI @ SHAMBHU CHAURASIYA Son of Saryu Barai Resident of 61, Khujwa, P.S.- Khujwa, District- Siwan
2. PREM KUMAR PRASAD Son of Shambhu Barai Resident of 61, Khujwa, P.S.- Khujwa, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                             |
|--------------------------|---|-----------------------------|
| For the Petitioner/s     | : | Mr. Kunal Tiwary, Adv       |
| For the Opposite Party/s | : | Mr. Rana Randhir Singh, APP |
| For the Informant        | : | Mr. Prashant Kumar, Adv.    |
|                          |   | Mr. Dineshwar Pandey, Adv   |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      19-05-2023                      Heard Mr. Kunal Tiwary, learned counsel for the petitioner, Mr. Rana Randhir Singh, learned Additional Public Prosecutor for the State along with Mr. Prashant Kumar learned counsel appearing for informant.

2. Petitioners apprehend their arrest in connection with Raghunathpur PS Case No. 211/2022 dated 18.09.2022 registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 506/34 of the IPC.

3. As per First Informant Report on 19.09.2022, while the informant was talking with his aunt, the accused persons arrived there and started assaulting the informant by means of *Lathi*, Brick and *Farsa* etc, and co-accused, Raj



Kishore Chaurasia assaulted on his head by means of *Farsa* and Rakesh Chaurasia assaulted by *Lathi*.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to politics inasmuch as sister-in-law of the petitioners is the sitting Mukhiya and the informant is the supporter of Akbari Bano who is adversary to the sister-in-law of the petitioners, namely, Arti Devi. He next submits that the allegation against the petitioners is general and omnibus in nature and there is specific allegation against co-accused, Raj Kishore Chaurasia and Rakesh Chaurasia.

5. Learned counsel appearing for the informant vehemently opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners are named in the FIR and they along with other accused persons assaulted the informant.

6. Regards being had to the submissions made by the parties, taking into consideration the the fact that no specific overt-act has been alleged against the petitioners and sister-in-law of the petitioners is sitting Mukhiya of Khujwa Panchayat, I am inclined to grant anticipatory bail to the petitioners.

7. Accordingly, let the petitioners, named above, in



the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, VIII, Siwan in connection with Raghunathpur PS Case No. 211/2022, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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