

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19251 of 2023

Arising Out of PS. Case No.-524 Year-2022 Thana- MAKHDUMPUR District- Jehanabad

Rambrat Chaudhary @ Ram Varat Chaudhary Son of Lakhan Chaudhary R/V-
Bandeya P.S- makhdumpur, dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar, Advocate.
For the Informant	:	Mr. Pritish Kumar Lal, Advocate.
For the State	:	Mr. Ram Sumiran Rai, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-06-2023 Heard Mr. Umesh Kumar, learned counsel for the petitioner; Mr. Pritish Kumar Lal, learned counsel for the informant and learned APP for the State.

The Petitioner is apprehending his arrest in connection with Makhdumpur P.S. Case No.524 of 2022 registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

The prosecution case is based on the written report of the informant alleging therein that while the informant was at his house, in the meantime, on account of some trifling reason co-accused Rakesh Chaudhary assaulted him by means of Iron Rod, due to which he sustained injury. It is further alleged that co-accused Pravin Chaudhary assaulted the informant's son and



another co-accused Urmila Devi assaulted the informant's wife and snatched her valuables. So far as the petitioner is concerned, it is alleged that he came with the revolver and *pasuli* and entered into the house of the informant and threatened them with dire consequences.

Learned counsel appearing on behalf of the petitioner submits that from the FIR, it is evident that the petitioner, who is aged about 55 years, has neither assaulted any of the family members nor the informant and the only allegation against him that he was carrying a revolver and *pasuli* in his hand. He further submits that in fact on account of he being head of the family, his name has been implicated in this case, apart from the fact that the petitioner having fair antecedent. He next submits that a free fight has taken place between both the parties in which the family members of the petitioner have sustained simple and grievous injury too. In support of which the injury reports have been brought on record. He also submits that the petitioner is ready to give undertaking that he will fully cooperate in trial, and he will not indulge in such type of activity in the future.

On the other hand Mr. Prithish Kumar Lal, learned counsel for the informant vehemently opposes the bail



application and submits that the entire occurrence has taken place on exhortation made by the petitioner and from the FIR, it is evident that he was carrying arms in his hand.

Learned counsel for the State also opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fair antecedent of the petitioner, apart from the fact that there is case and counter case from both the sides, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Jehanabad in connection with Makhdumpur P.S. Case No.524 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Harish Kumar, J)

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