

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35840 of 2023

Arising Out of PS. Case No.-644 Year-2021 Thana- GAYA MUFASIL District- Gaya

1. Basant Chaudhary, aged about 56 years, Male, Son of Late Sonu Choudhary Resident of village and P.O. - Nauranga, Distt. - Gaya
2. Kundan Chaudhary @ Kundan Kumar Choudhary, Male, aged about 27 years, Son of Basant Chaudhary Resident of village and P.O. - Nauranga, Distt. - Gaya
3. Raju Chaudhary, Male, aged about 46 years, Son of Basudev Chaudhary Resident of village and P.O. - Nauranga, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Muffasil, Gaya P.S. Case No. 644 of 2021 dated 29.11.2021, instituted for the offence punishable under Sections 448, 341, 323, 354, 308/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 25.11.2021 at about 7:00 pm the petitioner nos. 1 to 3 entered into the house of the informant and assaulted her. It is further alleged that they tried to molest her and when she tried to escape, one of them hit her on the back of her head due to which she fell down and they ran away.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in



this case. It is further submitted that there is a case and counter case between the parties. It is also submitted that there is unexplained delay in lodging the F.I.R.. It is further submitted that there is no specific allegation against the petitioners. The injury report supports only one injury which was caused by hard and blunt substance. Lastly, it has been submitted that petitioner nos. 1 and 2 have clean antecedents and there is only one criminal case against the petitioner no. 3.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners in connection with Muffasil, Gaya P.S. Case No. 644 of 2021, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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