

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36286 of 2023

Arising Out of PS. Case No.-67 Year-2023 Thana- DULHIN BAZAR District- Patna

1. RAM CHANDRA CHAUDHARY S/O DEV NANDAN CHAUDHARY
R/O Village- Sadawah, P.S. Dulhin Bazar, Dist.-Patna
2. MUKESH CHAUDHARY S/O RAM CHANDRA CHAUDHARY R/O
Village- Sadawah, P.S. Dulhin Bazar, Dist.-Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-07-2023 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Dulhin Bazar Police Station Case No. 67 of 2023,
dated 22.02.2023, disclosing offences under Sections
341/323/307/325/504/506/34 of the Indian Penal Code.

The prosecution case, on the basis of the First
Information Report, is that on the orders of the petitioner no. 1,
the petitioner no. 2 assaulted the husband of the informant by
means of khanti (crowbar) on his head and the petitioner no. 1
assaulted the informant's husband on his ribs by means of
spade.



Learned Counsel for the petitioners submits that the parties are closely related and the victim is the own brother of the petitioner no. 1 and uncle of the petitioner no. 2. He further submits that the dispute arisen between them on trivial issue of connecting the drainage of the petitioners' house with drainage of the informant's house. He next submits that the injury report does not corroborate the allegations made in the First Information Report and there is a delay in lodging the First Information Report inasmuch as the occurrence has taken place on 20.02.2023, but the First Information Report has been lodged on 22.02.2023.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are close relatives, the occurrence taken place on a trivial issue over connecting the drainage and the injury caused to the victim is not serious in nature, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on 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 Judicial Magistrate 1st
Class, Danapur (Patna), in connection with Dulhin Bazar Police
Station Case No. 67 of 2023, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

ashwani/-

U	√	T	√
---	---	---	---

