

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42328 of 2023

Arising Out of PS. Case No.-103 Year-2023 Thana- NARHATT District- Nawada

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UMESH CHAUHAN @ UMESH KUMAR SON OF KARU CHAUHAN @
KANTA PRASAD RESIDENT OF VILLAGE - PUNAU, P.S.- NARHAT,
DISTRICT - NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma
For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 147, 149, 341, 323,
307, 354, 504 of the Indian Penal Code.

The informant alleges that on account of dispute relating
to Indra Awas, 9 named accused persons including the petitioner
came variously armed and assaulted the informant and his
family members. It is next alleged that petitioner assaulted his
daughter with lathi and farsa causing injury on her head.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent.

Learned counsel for the petitioner submits that he has



been falsely implicated in the present case, it is next submitted that, no doubt, it is alleged that petitioner assaulted the daughter of the informant by lathi and farsa but then the said allegation is false, it is also submitted that both sides assaulted each other, it is next submitted that even the injury suffered by the injured is lacerated wound.

Learned A.P.P. for the State opposes anticipatory bail application and submits that there is specific allegation of assault against this petitioner of assaulting Radha Kumar, the daughter of the informant and it has not been specifically stated in the anticipatory bail application with regard to the nature of the injury.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Narhat P.S. Case No. 103 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, the learned Trial Court before accepting the bail



bonds of the petitioner shall verify the injury report of the daughter of the informant and in the event if it is found that the injury is grievous in nature, then the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

HarshPandey/-

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