

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45419 of 2023

Arising Out of PS. Case No.-113 Year-2023 Thana- MADHUBAN District- East Champaran

1. Krishn Mohan Shukla @ Krishan Mohan Shukla Son of Late Binda Shukla Resident of Village- Talimpur, PS- Madhuban, District- East Champaran
2. Chanchal Tiwari @ Chanchal Kumar Son of Krishn Nandan Tiwari Resident of Village- Chaitya, PS- Pakaridayal, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Adv.

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-08-2023 Heard the learned counsel for the petitioners and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Madhuban P.S. Case No.113 of 2023, registered for offences punishable under Sections 341, 323, 354(B), 379, 504, 506 and 34 of the Indian Penal Code.

The allegation is regarding the accused persons, including the petitioners herein, having arrived at the door of the house of the informant on the alleged date and time of occurrence, whereafter they had started abusing her. As far as the petitioners are concerned, they are stated to have



tried to disrobe the informant and had also assaulted the daughter of the informant.

The learned counsel for the petitioners has submitted that the petitioners are innocent and they have been falsely implicated in the present case. The learned counsel for the petitioners has further submitted that the petitioners are accused in one another case, but they are on bail in the said case. The learned counsel for the petitioners has also submitted that firstly, the F.I.R. has been lodged after lapse of three days of the alleged occurrence and secondly, no injury report is on record to show that any member of the prosecution party, much less the informant has sustained injury.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that according to the learned counsel for the petitioners neither the informant nor any member of the



prosecution party has sustained any injuries, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Madhuban P.S. Case No.113 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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