

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42288 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- KUDRA District- Kaimur (Bhabua)

1. SANTOSH CHAUBEY S/o Guptnath Chaubey R/o village- Bahera, P.S.- Kudra, District- Kaimur at Bhabua
2. CHITTARANJAN CHAUBEY S/o Guptnath Chaubey R/o village- Bahera, P.S.- Kudra, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh
For the Opposite Party/s : Mr.Ajit Kumar
Mr. Praveen Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 07-04-2023 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under sections 195, 195(A), 196, 197, 198, 420, 465, 467, 468, 469 of the Indian Penal Code.

Allegation against the petitioners is that they had produced a fabricated document before Kudra Primary Health center to obtain a false injury in connection with Kudra P.S. case No. 110 of 2021 showing the nature of injury received by Chitranjan Chaubey, petitioner No.2, to be grievous in nature. It is further alleged that the Hospital of which the fabricated document was produced, was not in existence on the relevant



date.

Learned counsel for the petitioner submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted that there is case and counter case of Kudra P.S. Case No. 110 of 2021 by one of the accused and Kudra P.S. Case No. 111 of 2021 by opposite party and I.O. of the both cases was become biased and favoured opposite party thereafter on complaint by petitioners' side, he was removed from further investigation but the new deputed I.O was also convinced by earlier I.O and in retaliation this new case has been lodged against the petitioners. It is true that injury report was submitted by petitioners and injured petitioner No.2 had got treatment at said hospital during Covid-19 period and he has no concern with the investigation and injury report submitted by Police. Similarly situated accused Alok Ranjan Choubey has already been granted regular bail by a co-ordinate Bench of this court vide order dated 19.01.2023 passed in Cr. Misc. No. 56068/ 2022.

Learned APP appearing for the state and Mr. Praveen Kumar, learned counsel appearing for Meena Devi, informant of Kudra PS case No. 110/2021, on whose application the present case came to be instituted, have opposed the prayer of



anticipatory bail. It is submitted that petitioners have hatched up a conspiracy and produced forged and fabricated injury report in Kudra PS case No. 110/2021.

Considering the facts of the case and nature of accusation against the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VI, Kaimur, Bhabua in connection with Kudra PS case No. 40/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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