

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43615 of 2023

Arising Out of PS. Case No.-93 Year-2020 Thana- KINJAR District- Jehanabad

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1. BHOLA CHAUDHARY SON OF LATE RADHU CHAUDHARY
RESIDENT OF VILLAGE- IBRAHIMPUR PS KINJAR DISTRICT
ARWAL
 2. RAMA KANT CHAUDHARY SON OF LATE DEVNANDAN
CHAUDHARI RESIDENT OF VILLAGE- IBRAHIMPUR PS KINJAR
DISTRICT ARWAL
 3. RAMADHARY CHAUDHARY SON OF LATE RADHU CHAUDHARY
RESIDENT OF VILLAGE- IBRAHIMPUR PS KINJAR DISTRICT
ARWAL
 4. RAM SWAROOP CHAUDHARY SON OF LATE RAGHUNANDAN
CHAUDHARI RESIDENT OF VILLAGE- IBRAHIMPUR PS KINJAR
DISTRICT ARWAL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rohit Mishra, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 324, 379, 308, 504, 506, 323 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 19.12.2020, at about 6:00 P.M. when the informant was at his house, he was



informed that his brother and his *bhabhi* were being assaulted by the petitioner no.1. On this information, when the informant along with his family members reached there to save them, all the accused persons along with these petitioners started abusing and assaulting the informant by means of iron rod and lathi indiscriminately. Co-accused Ravi Kumar, Pankaj Kumar and Ravi Ranjan Kumar snatched away golden *jitia* from the neck of the informant's wife.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is case and counter case between the parties. It is further submitted that after investigation, the police has filed charge sheet against the petitioners. Petitioners were given benefit of Section 41 A of Cr.P.C. No person got injured in the present case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.



6. Having regard to the facts and circumstances of the case, as no person got injured in the present case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Kinjar P.S. Case No. 93 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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