

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47511 of 2023

Arising Out of PS. Case No.-446 Year-2022 Thana- MANER District- Patna

1. ASHISH KUMAR @ ASHISH CHOUDHARY Son of Late Rajendra Chuudhary Resident of village - Rasulpur, Dargah Road, P.S. - Maner, Dist. - Patna
2. Satish Kumar Son of Late Rajendra Chuudhary Resident of village - Rasulpur, Dargah Road, P.S. - Maner, Dist. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Ejaz Akhter, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2023 Heard the parties.

The petitioners are apprehending their arrest in connection with Maner P.S. Case No. 446 of 2022 for the offence under sections 341, 448, 504, 506, 308, 354, 379 and 34 of the I.P.C. lodged on 26.06.2022 by the informant, Sona Devi.

As per the prosecution story, the petitioners and the informant are agnates and due to dispute over throwing of water on the street, assault took place and the allegation is that when the family members of the accused persons were abusing the informant side, upon opposition, they surrounded the informant, beat her causing injury on her right eye which was recently operated and her lens also got damaged. Further, allegation is of



snatching Rs. 5,000/-. Accordingly, the F.I.R.

Learned counsel for the petitioners submit that there is omnibus allegation against all the accused persons including the two petitioners and further, they being agnates, without accepting the allegation and/or the outcome of the present petition, in view of the fact that the informant side has alleged injuries, the petitioners on its own would like to contribute towards the medical assistance of Rs. 10,000/- each through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court so that the same is handed over to the informant after checking the credentials.

Learned APP opposes the prayer.

Considering the aforesaid facts submitted by the learned counsel for the petitioners as also that omnibus allegation is there, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs. 10,000/- each as undertaken by the learned counsel for the petitioners to be paid by Demand Draft of local State Bank of India and to be submitted at the time of filing of bail bond.

Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the



receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Danapur, Patna, in connection with Maner P.S. Case No. 446 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty



to take steps for cancellation of their bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

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