

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48238 of 2023

Arising Out of PS. Case No.-171 Year-2023 Thana- ATRI District- Gaya

1. CHAMARI PRAJAPAT Son of Late Bhatu Prajapat Resident of Village-Koyariyachak, P.S.-Atri, District-Gaya
2. DANI PRAJAPAT Son of Chamari Prajapat Resident of Village-Koyariyachak, P.S.-Atri, District-Gaya
3. SUNITA DEVI Wife of Upendra Prajapat Resident of Village-Koyariyachak, P.S.-Atri, District-Gaya
4. MUNNI DEVI Wife of Dani Prajapat Resident of Village-Koyariyachak, P.S.-Atri, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-08-2023 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Atri Police Station Case No. 171 of 2023, dated 02.04.2023, disclosing offences under Sections 341/323/307/379/354/504/506/34 of the Indian Penal Code.

The prosecution case, on the basis of the First Information Report, is that, on 01.04.2023, the petitioners, along with other accused persons, arrived at the house of the informant and pressurized her to compromise the earlier case



lodged by the informant against Nitish Kumar, who is still in jail. It has further been alleged that Upendra Chouhan @ Upendra Prajapat assaulted the brother of the informant, namely, Shyamsunder Chouhan and Rampravesh Kumar by means of iron rod on their head and the uncle of the informant, namely, Rajaram Chouhan was also assaulted due to which they sustained injuries.

Learned Counsel for the petitioners submits that altogether 11 members of the same family have been made accused due to previous enmity between the parties. He further submits that counter case has also been lodged by the side of the petitioners against the informant and others, bearing Atri Police Station Case No. 170 of 2023, which is prior in time to the present First Information Report. He next submits that the petitioner nos. 3 and 4 are female members of the family and there is general and omnibus allegation against the petitioners and specific allegation of assault is upon Upendra Chouhan @ Upendra Prajapat.

Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that allegation against the petitioners are general and omnibus in nature, petitioner nos. 3 and 4 are female and there is counter



case lodged by the side of the petitioners, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Atri Police Station Case No. 171 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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