

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49319 of 2022

Arising Out of PS. Case No.-60 Year-2022 Thana- DHARHARA District- Munger

ANIL CHAUDHARY @ CHUHARI Son of Late Birbal Chaudhary @ Virbal Chaudhary Resident of Amari, P.S.- Dharahra, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md Fazle Karim, Advocate
For the Opposite Party/s	:	Mr.Ram Bilash Roy Raman, APP
For the informant	:	Mr. Raj Kumar Choudhary, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-01-2023 Heard learned counsel for the petitioner and the State as well as the informant.

The petitioner is apprehending arrest in connection with Dharhara P.S. Case No. 60 of 2022 instituted under sections 341, 323, 307, 354-B, 504, 506 and 34 of the Indian Penal Code.

As per the prosecution story, the petitioner who belongs to the same family member as that of the informant, tried to outrage the modesty of the informant.

Learned counsel for the petitioner submits that there is nothing on record to show that there has been any assault and only to exaggerate and implicate him, this case has been lodged. It is submitted that it is unbecoming of a brother to outrage the



modesty of his cousin sister as also assault her family members and the same is outcome of the land dispute.

Learned counsel for the informant who has since appeared has brought this Court's attention to a case lodged subsequently on 18.11.2022 again instituted against this petitioner with the allegation of assault. He submits that it has become the habit of the petitioner to take recourse to criminal activities against the informant side despite the fact that he belongs to the same family.

Taking into account the fact that so far as this case is concerned, there is nothing on record to show that the informant side has got any injuries and the petitioner do not have any criminal antecedent, as stated in para-3, this Court is inclined to grant him relief. However, if he indulges in any other further criminal activities after passing of this order, the informant shall be free to take recourse to legal remedy for cancellation of the relief granted to him.

Let the petitioner be released on bail, in the event of his 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) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Munger,



in connection with Dharhara P.S. Case No. 60 of 2022 subject
to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Rajiv Roy, J)

Ravi/Ajay
Singh/-

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