

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51103 of 2022**

Arising Out of PS. Case No.-426 Year-2017 Thana- TEKARI District- Gaya

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1. Sarita Devi, W/o Vijay Chaudhary, Resident of Village- Bhulimath, P.S.- Tekari, District- Gaya.
  2. Ajay Chaudhary S/o Jethan Chaudhary Resident of Village- Bhulimath, P.S.- Tekari, District- Gaya.
  3. Vijay Chaudhary S/o Jethan Chaudhary Resident of Village- Bhulimath, P.S.- Tekari, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar, Advocate.  
For the Opposite Party/s : Mr.Murli Dhar, APP.

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

8      03-04-2023                      Heard Mr. Arvind Kumar, learned counsel appearing on behalf of the petitioners and Mr. Murli Dhar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Tekari P.S. Case No. 426 of 2017 registered for the offence punishable under Sections 323, 341, 307, 447, 504 and 506/34 of the Indian Penal Code.

3. Prosecution story, in brief, is that the accused persons named in the F.I.R. including the present three petitioners assaulted the son of the informant. Specific allegation is against petitioner no.3 Vijay Chaudhary of hitting



with iron rod at the head of the son of the informant Ranjit Chaudhary who sustained injury and fell unconscious.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the case. Petitioners in their own defence to save their live without any intention caused some injuries to the son of the informant which are simple in nature. There is case and counter case between the parties with respect to the land dispute.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the rival submissions of the parties, allegation made in the F.I.R. as well as the fact that the injury which has been sustained by the son of the informant Ranjit Chaudhary is simple in nature and there is admitted land dispute between the parties, I am of the opinion that the petitioners have made out a case to be released on bail.

7. The petitioners are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of



learned Additional Chief Judicial Magistrate-VI, Gaya in connection with Tekari P.S. Case No. 426 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Purnendu Singh, J)**

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