

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 51842 of 2023

Arising Out of PS. Case No.-68 Year-2023 Thana- BAGENGOLA District- Buxar

1. Rameshwar Chaudhary Son of Late Rambhawan Chaudhary Resident of village - Baruha, P.s. - Bagengola, Distt. - Buxar
2. Sita Devi Wife of Rameshwar Chaudhary Resident of village - Baruha, P.s. - Bagengola, Distt. - Buxar
3. Ravi Kumar Son of Rameshwar Chaudhary Resident of village - Baruha, P.s. - Bagengola, Distt. - Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Adv.
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-08-2023 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, 323, 325, 324, 307, 379, 354A, 506 of the I.P.C. read with Section 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been lodged against 7 named accused persons including the present petitioners. The allegation against the petitioner no. 3 is that he has assaulted by pistol butt on the head of the informant's son and against petitioner no. 1 that he had caught informant and

against petitioner no. 2 that she alongwith the petitioner no. 1 caught the son of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the allegation made in the F.I.R. do not match with the injury which is Annexure- 2. Counsel submits that injury report does not support the allegations made in the F.I.R.

5. Learned counsel for the petitioners further submits that the antecedents of the petitioners are clean. Counsel further submits that the informant and accused persons are resident of same village and they are not criminals. Counsel further submits that there are general and omnibus allegation against the petitioner nos. 1 and 2

6. Learned A.P.P. for the State opposes the prayer for bail and submits that from the contents of the F.I.R., it transpires that the petitioner no. 3 has assaulted by pistol butt on the head of the son of the informant.

7. In the present facts and circumstances of the case and the submissions made above, let the above named petitioner nos. 1 and 2 be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a

period of six weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand Only) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. at Buxar, in connection with Bagengola P.S. Case No. 68 of 2023, dated 01.06.2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. So far as petitioner no. 3 is concerned, this Court is not inclined to grant anticipatory bail to him and, therefore, his anticipatory bail petition is hereby rejected.

(Dr. Anshuman, J.)

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