

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51585 of 2022

Arising Out of PS. Case No.-442 Year-2022 Thana- SIKARPUR District- West Champaran

1. Prem Chaudhary @ Prem Chaudhri Son Of Late Basanti Chaudhary R/O Village- Roari, P.S.- Shikarpur, District- West Champaran
2. Laljee Chaudhary Son Of Ramchandra Chaudhary R/O Village- Roari, P.S.- Shikarpur, District- West Champaran
3. Dinesh Chaudhary Son Of Bikrama Chaudhary R/O Village- Roari, P.S.- Shikarpur, District- West Champaran
4. Makardhan Chaudhary @ Mukurdhan Chaudhary Son Of Late Bhagwat Chaudhary R/O Village- Roari, P.S.- Shikarpur, District- West Champaran
5. Rikha Chaudhary Son Of Late Nathuni Chaudhary R/O Village- Roari, P.S.- Shikarpur, District- West Champaran
6. Shivjee Chaudhary Son Of Late Ramchandra Chaudhary R/O Village- Roari, P.S.- Shikarpur, District- West Champaran
7. Bharat Chaudhary Son Of Late Yogindra Chaudhary R/O Village- Roari, P.S.- Shikarpur, District- West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 10-01-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable u/s 341, 323, 324, 307,



354(B), 504/34 of the Indian Penal Code.

As per prosecution case, the petitioners in connivance with one another were cutting trees near the road. On being objected by the husband of the informant, all the accused persons started abusing and assaulting him. When the informant's son came to rescue, he was also assaulted with *tangi* by the petitioner Shivjee Chaudhary causing head injury and when the informant's son fell on the ground, all the accused persons assaulted him. Further, when the informant's daughters came to rescue, then petitioners Prem Chaudhary, Laljee Chaudhary and Dinesh Chaudhary grabbed their hair, dragged them and tore their clothes and disrobed them.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is general and omnibus allegation against the petitioners except the petitioner Shivjee Chaudhary. The injury of the injured Dheeraj Chaudhary is simple in nature. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their



arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 442 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

U		T	
---	--	---	--

