

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.54199 of 2023

Arising Out of PS. Case No.-230 Year-2020 Thana- MANJHI District- Saran

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1. Rahul Chaudhary S/O Bablu Chaudhary R/O Village- Nautan, P.S- Ekma, Distt.- Saran.
 2. Pramod Chaudhary @ Pramod Kumar Chaudhary S/O Parmeshwar Chaudhary R/O Village- Parsa Gadh, P.S- Ekma, Distt.- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioners and learned counsel for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Manjhi P.S. Case No. 230 of 2020, registered on 16.08.2020 for the offences under Sections 341, 323, 376/511, 307, 324/34 of the Indian Penal Code.

3. As per prosecution case, co-accused persons tried to outrage the modesty of the informant and they made attempt to rape her. In this background quarrel took place between the



two families and the allegation against the petitioners is that they assaulted the father-in-law of the informant when he tried to save the informant. Other co-accused persons assaulted other family members of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The informant and co-accused Bhola Chaudhary are agnates and there is land dispute between their family. Petitioner no. 1 is the cousin and petitioner no. 2 is the brother-in-law of co-accused Bhola Chaudhary, respectively and they went to the house of co-accused Bhola Chaudhary to participate in a function and on account of throwing garbage on the road some altercation took place between the family members of informant and co-accused Bhola Chaudhary and this false case has been lodged to implicate co-accused Bhola Chaudhary. Learned counsel further submits that there is no specific allegation against the petitioners and the injuries of the injured persons are all simple in nature caused by hard and blunt substance except injury in the left hand of one victim which is said to be fracture of ulna. Other co-accused have been granted have been granted anticipatory bail by a Co-ordinate Bench vide orders dated 04.01.2022 passed in Cr. Misc. No. 9307 of 2021 and



23.03.2022 passed in Cr. Misc. No. 45149 of 2021, respectively.

Petitioners have got no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-specific allegation against the petitioners and possibility of false implication, let the petitioners above named in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIIIth, Saran at Chapra/concerned court in connection with Manjhi P.S. Case No. 230 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on



each and every date fixed by the court below,
if so required by the learned trial court.

(Arun Kumar Jha, J)

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