

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53241 of 2022

Arising Out of PS. Case No.-132 Year-2020 Thana- ATRI District- Gaya

1. Adhir Chaudhary Son of Arun Chaudhary R/V- Jamalpur, P.S- Atri, Dist- Gaya
2. Ajeet Chaudhary Son of Arun Chaudhary R/V- Jamalpur, P.S- Atri, Dist- Gaya
3. Sabuja Devi W/o Arun Chaudhary R/V- Jamalpur, P.S- Atri, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 16-03-2023 Heard Mr. Vinod Kumar, learned counsel appearing on behalf of the petitioner and Mr. Ashok Kumar Singh, learned APP appearing on behalf of State.

2. The petitioner seeks pre-arrest bail in connection with Atri P.S. Case No. 132 of 2020 registered under Sections 341, 323, 324, 307, 504, 506, 34 of the Indian Penal Code.

3. The prosecution story, in brief, is that petitioner along with the co-accused persons named in the F.I.R. assaulted the husband of the informant, petitioner no. 1 assaulted on the head of the informant by means of *danda*, petitioner no. 2 had assaulted with the blow of *danda* on the hand of the son of the informant and no allegation of assault have been alleged against



petitioner no. 3 in the F.I.R.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioners are innocent and they have falsely been implicated in the false case due to admitted land dispute.

5. Learned APP appearing on behalf of the State has vehemently opposed the grant of bail to the petitioners.

6. Having heard the rival submissions of the respective parties and having perused the allegation made in the F.I.R., I am not inclined to grant pre-arrest bail to petitioner no. 1 who has inflicted the blow of *lathi* on the head of the husband of the informant who is the eye witness. So far as petitioner no. 2 is concerned as he has inflicted on the hand of the son of the informant which is not vital part and no allegation has been made against the petitioner no. 3. This Court finds that petitioner nos. 2 and 3 have made out a prima facie case to be released on anticipatory bail.

7. Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of



learned A.C.J.M.-XIII, Gaya in connection with Atri P.S. Case
No. 132 of 2020, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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